



City of Kent
Regular City Council Meeting
320 S. Depeyster Street, Kent, Ohio 44240
Wednesday, January 8, 2025

AGENDA

6:45pm BOARDS & COMMISSIONS INTERVIEW

Sustainability Commission – Justine Gallo

BOARD OF CONTROL will begin immediately after Boards & Commissions interview

COUNCIL COMMITTEE meeting will begin immediately after Board of Control

CALL TO ORDER

COMMITTEES

1. Committee of the Whole – Chair Fiala/Vice Chair Amrhein

1.1 2025 Pending List update (Dave Ruller)

2. Community Development Committee

2.1 Update Part 13 of City Building Code related to fines/penalties (Bridget Susel)

3. Finance Committee

3.1 December 2024 “Then and Now” transactions authorization (Rhonda Hall)

4. Health & Public Safety Committee

5. Land Use Committee

6. Streets, Sidewalks, and Utilities Committee

6.1 Downtown special events permits and street closure update
(Eric Helmstedter and Dominique Bollenbacher)

- 6.2 East Summit Street – solar array electric lines license agreement (Jim Bowling)

EXECUTIVE SESSION to discuss Clerk of Council position and appointment of Board and Commissions candidate

RETURN TO REGULAR SESSION

BOARD AND COMMISSION APPOINTMENTS

1. Voting on Board and Commission Appointments
2. Motion to Authorize Insertion of Names into Legislation
3. **DRAFT 2025-001** A RESOLUTION APPOINTING _____ TO THE SUSTAINABILITY COMMISSION AND DECLARING AN EMERGENCY.

ADJOURNMENT

TENTATIVE JANUARY 2025 CALENDAR

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6 Shade Tree Comm 5:00pm Sustainability Comm 5:30pm	7 Planning Comm 7:00pm	8 City Council Committee mtg 7:00pm	9 Standing Rock Cemetery 4:00pm	10	11
12	13	14	15	16 Parks & Rec Board 5:30pm	17	18
19	20 Board of Zoning Appeals 7:00pm	21 Planning Comm 2 7:00pm	22 City Council Regular mtg 7:00pm	23	24	25
26	27	28	29	30	31	

KENT CITY COUNCIL'S PENDING LIST

Administration	Date of Motion	Motion Made by
Senior Advisory Committee	10/18/2017	Ferrara; Sidoti
Discussion with Franklin Twp. /sidewalk snow upkeep	01/19/2022	Shaffer Bish
Review of Roadwork Needed on Portage St.	05/17/2023	Wallach
Review Language of KRC 339.02 Regarding Semi Parking	03/20/2024	Amrhein
Review of Lifting of Adult Use Marijuana Moratorium	04/17/2024	Hook
Explore Use of Consent Agenda	04/17/2024	Hook
Recognize Juneteenth as City Holiday	06/19/2024	Sidoti
Council Committees	Month/Yr.	Motion Made by
Land O' Lakes Noise Issue- Comm/Whole	08/16/2023	Turner
Noise Ordinance Review – Health & Public Safety	11/15/2023	Amrhein
Fur Regulations and Sales in Kent- Community Dev.	12/20/2023	Wallach
Downtown Street Closure Procedures- Community Dev.	01/17/2024	Rosenberg
Downtown Historic District- Community Dev.	02/24/2024	Shaffer Bish
Role of Architecture Review Board- Community Dev.	02/24/2024	Celko
Parks and Rec Survey and Master Plan- Comm/Whole	02/24/2024	Sidoti
Requirement for In Person Board Interviews- Comm/Whole	03/20/2024	Rosenberg
Arborist & Health Dept. used in Rental Inspections	06/19/2024	Clapper
Warming Centers for the Unhoused	09/18/2024	Hook

Posted January 2, 2025 Kathleen Coleman | Interim Clerk of Council | Kent City Council

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-678-8007. Any request for auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.

Hello,

Please note the following response to Boards and Commission Application has been submitted at Tuesday October 8th 2024 4:01 PM with reference number 2024-10-08-001.

- **First Name**
Justine
- **Last Name**
Gallo
- **Address**
202 S Mantua St
Apt 2
Kent, OH 44240
- **Phone Number**
6093137122
- **Email Address**
justinegallo257@gmail.com
- **Education**
BA in Fashion Design From Kent State University
Minors in Marketing, Photography, and Sustainability
- **Place of Employment**
Owner of Sun in Leo
- **Political Party**
Green Party
- **Select Board(s) *Note: You can only serve on one board at a time**
Sustainability Commission
- **Please explain, in detail, why you are interested in this appointment.**
As a local of Kent as well as a small business owner I have found power in collaboration with community. Everything I do has the planet as number 1 priority and I wish to share what I have learned as well as implement sustainability throughout Kent.
- **Attach a Resume/CV or other qualifications**
 1. [JGalloResume.pdf \[246.9 KB\]](#)

[This is an automated email notification -- please do not respond]



Justine Gallo

Email: justinegallo257@gmail.com

LinkedIn: [linkedin.com/in/justine-gallo](https://www.linkedin.com/in/justine-gallo)

Portfolio: <https://justinegallo257.wixsite.com/justine-gallo>

Related Experience

Owner and Fashion Designer

Sun in Leo | Kent, OH | January 2022

Founded an up-cycled circular brand. Responsible for clothing and jewelry design, marketing, and photography.

Design Innovator

Vogue Generation Next Winner

Presented a forward-thinking approach to the future of sustainable design

Work Experience

Design Intern

Unsubscribed | Remote | June 2021 – August 2021

Worked heavily in Adobe Illustrator, Photoshop, and InDesign, organizing CADs as well as researching future trends for the next season.

Stylist

Winds of Change/Gypsy Sole | Chagrin Falls, OH | Sept 2021 – June 2022

Aided customers with styling as well as merchandising the floor. Responsible for organization work and strong customer service skills.

Student Manager

Eastway Market and Deli | Kent, OH | Oct 2018 – March 2021

Responsible for the delegation of responsibilities within the food service operations such as inventory, customer service, food preparation, and food safety and sanitation procedures.

Education

Kent State University | Kent, OH

Bachelor of Art | May 2022

Fashion Design

Marketing, Sustainability and Photography Minors

Kent State University | International Study Away Program

Berlin, Germany | May 2019

Education Achievements

GPA 3.5

Dean's List | Fall 2018- Spring 2022

Kent State Annual Fashion Show | Designer | April 2022

NEOLaunchNET | Grant Winner | Kent, OH | January 2022

Pi Sigma Epsilon | Sept 2019- Jan 2020

Digital Skills

Adobe Photoshop, Illustrator, InDesign, Acrobat, Portfolio, iMovie, Microsoft Office, Social Media Marketing

Design Skills

Garment Construction, Jewelry Design, Hand Illustration, Pattern Making, Draping, Fabrics Comprehension Technical Flats, Extensive Trend Research.

Pending List Update

January 2025

ADMINISTRATION

1) Explore Senior Center Advisory Committee. (10/17)

Council has had a couple of presentations and discussions in Committee of the Whole regarding the availability of services/facilities/housing/etc., for seniors in Kent. In a work-session Council also brought in speakers that provide senior services in areas around Kent to share the types of services/facilities that they provide. Council referred the topic of a senior center to Kent Parks and Recreation for further review and recommendations. Individual Council members have made subsequent motions to resume the conversation on senior services in Committee but those motions failed to pass pending the future recommendations from Parks and Recreation.

Recommendation: The Parks Department has yet to share the findings of its P&R Master Plan with Council so I recommend retaining this item on the pending list.

2) Discussion with Franklin Township on Sidewalk Shoveling (9/21)

The staff have not had specific sidewalk shoveling conversations with the Franklin Township but we did collaborate with PARTA and the Township on a successful SR 59 corridor pedestrian safety planning grant application (approved by Council in June 2022) – and that project is moving forward. Staff believes it would be logical to raise the discussion of sidewalk shoveling during and after completion of the project. It's worth noting that the sidewalks on SR59 are ODOT sidewalks, not Franklin Township.

Recommendation: Retain on the pending list until the SR 59 pedestrian safety corridor project is complete.

3) Review of Roadwork Needed on Portage Street (5/23)

Jim worked with Central Maintenance and a contractor to have street repairs completed on Portage Street in 2024.

Recommendation: Remove from the pending list.

4) Review Language of KRC 339.02 Regarding Semi Parking (3/24)

Staff presented proposed legislative changes to amend the Code to prohibit Semi tractor trailer parking in neighborhoods at the May Committee meeting, and Council adopted those changes at the May Regular Council meeting.

Recommendation: Remove from the pending list.

5) Lifting the Adult Use Marijuana Moratorium (4/24)

At the June 2024 Committee meeting staff presented proposed legislative changes to allow adult use marijuana facilities in existing medical marijuana facilities and within the industrial Zone -- and lifted the moratorium. Council adopted those changes at the June Regular Council meeting. At the July 2024 Committee meeting staff presented an operating agreement with the medical marijuana facility in Kent that included terms for the retail sales of adult use marijuana. Council approved that Agreement at their July Regular Council meeting.

Recommendation: Remove from the pending list.

6) Explore the Use of Consent Agenda (4/24)

Staff presented Council with options for the consideration of using a consent agenda at the August 2024 Committee meeting. Council approved the consent agenda and it began in September 2024.

Recommendation: Remove from the pending list.

7) Recognize Juneteenth as City Holiday (6/24)

In 2024 staff recommended and Council adopted adding Juneteenth as a new City holiday.

Recommendation: Remove from the pending list.

COUNCIL COMMITTEES

1) Land O'Lakes Noise Issue (8/23)

Following presentations in Council, an independent sound study, and multiple meetings with the Land O'Lakes corporate staff, Land O'Lakes changed their plant operations protocols to reduce the noise, and they announced a multi-million dollar plan to replace the equipment that generates the noise and to construct sound barriers.

Recommendation: Remove from the pending list.

2) Noise Ordinance Review (11/24)

Following a request from a resident to reconsider the City's noise ordinance to prevent her from being cited for her dog barking, Council asked staff to report back on possible changes to the noise Ordinance. The staff review is ongoing.

Recommendation: Retain on the pending list.

3) Fur Regulations in Kent (12/23)

Council referred a request from an Aurora resident to consider banning retail fur sales in Kent. The staff studied the issue and discovered that there were no fur retail sales outlets in Kent so the item was not pursued any further. That information was conveyed to the Aurora resident by the City Clerk and no further action was requested.

Recommendation: Remove from the pending list.

4) Downtown Street Closures (1/24)

Council asked the staff to re-evaluate the closing of streets for downtown festivals and the impacts on local businesses. Staff have completed their review, met with downtown business owners, and discussed street closure options with Main Street Kent, the Chamber, and the JC's. Staff is scheduled to present that information to Council at the January or February Committee meeting.

Recommendation: Remove from the pending list.

5) Downtown Historic District (2/24)

With the removal of the statutory role of the Architectural Review Board (ARB), a couple of residents asked for reconsideration of the City designating downtown as an historic district and imposing rules and regulations that would govern the upkeep, renovation and reinvestment of private property within the district. Those residents favor the creation of a local volunteer board to have statutory authority in the oversight of the historic district. Council has previously discussed and denied requests to create a legally defined historic district with government driven controls over private property due to the concerns expressed by the private property owners and businesses. Council has approved the local historic designation for a few private property owners that asked voluntarily to have their property designated as historic but has not expressed a willingness to force such measures on private property owners. Staff has focused on finishing integrating the downtown design standards into the City's Zoning Code, some of which have historic elements, before returning to Council for any further discussions on creating an historic district. The design guidelines update in the Zoning Code should be complete in Spring 2025.

Recommendation: Retain on the pending list.

6) Role of the Architecture Review Board (2/24)

With Council's vote to remove the statutory authority (formerly granting a certificate of appropriateness) from the Architectural Review Board, there were comments from former members of the ARB and Council questioning the need to continue to have a volunteer board function in an advisory role only. Staff reports that for years the ARB only had an advisory role, but during the massive downtown redevelopment, the ARB's functions were expanded to provide an added layer of continuity and compatibility with the millions of dollars being invested in downtown Kent's redevelopment. The pace of that redevelopment has slowed significantly, and Council started getting complaints from local property owners over subjective rulings of the ARB which led to Council's directive to integrate the design standards directly into the Zoning Code rather than relying on personal interpretations of the Code by members of the ARB. Once the design guidelines have been fully integrated into the Zoning Code, staff will return to Council to discuss the future of the ARB.

Recommendation: Retain on the pending list.

7) Parks and Recreation Resident Survey and Master Plan (2/24)

At Council's request, Angela (and her consulting firm) provided Council with a presentation on the results of the community survey and master plan for Kent Parks and Recreation.

Recommendation: Remove from the pending list.

8) Requirement for In Person Board Interviews (3/24)

This item has not been completed by the staff, so I recommend keeping it on the pending list.

Recommendation: Retain on the pending list.

9) Arborist and Health Department Included in Rental Inspections (6/24)

This item has not been completed by the staff, so I recommend keeping it on the pending list.

Recommendation: Retain on the pending list.

10) Warming Centers for the Unhoused (9/24)

This item has not been completed by the staff, so I recommend keeping it on the pending list.

Recommendation: Retain on the pending list.



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: December 31, 2024

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director

RE: Part Thirteen-Building Code Amendments

The Community Development Department recently became aware of an enforcement conflict with regards to addressing situations of noncompliance under various chapters of “Part Thirteen-Building Code” of the Kent Codified Ordinances (KCO).

Section 501.13 “Civil Offenses” of the KCO specifies that violations of “any Section of Chapter 13 of the City of Kent Building Code” is subject to enforcement through the issuance of a civil offense warning and/or fine. A recent review of Part 13, however, noted that several chapters listed misdemeanors (criminal) offenses as the penalty for noncompliance.

In order to ensure consistency of enforcement, the Law and Community Development Departments are proposing to utilize the same language that was recently approved for the penalty that applies to the rental licensing program to other sections of the City’s Building Code. The City will still maintain its right to utilize other legal means to ensure compliance, including but not limited to injunctive relief.

I am respectfully requesting time at the January 8, 2025 Council Committee meeting to discuss the attached in greater detail and to request Council authorization, with emergency, of the proposed amendments.

If you need any additional information in order to add this item to the agenda, please let me know.

Thank you.

Attachment

Cc: Hope Jones, Law Director
Eric Fink, Assistant law Director
Kathy Coleman, Interim Clerk of Council
Bob Nitzsche, Chief Building Official
CD Building Department Staff

PART THIRTEEN - BUILDING CODE

TITLE ONE - Building Standards

Chap. 1303. One, Two and Three Family Dwellings

TITLE THREE - Building Administration

Chap. 1308. Contractor Registration.

Chap. 1309. Board of Building Appeals

Chap. 1311. Building, Wrecking and Moving Permits

Chap. 1312. Schedule of Fees

Chap. 1313. Inspections; Electrical and Plumbing Permits

Chap. 1315. Revocation of Permits; Penalties

TITLE FIVE - Local Building Provisions

Chap. 1333. Numbering Structures

Chap. 1337. Flood Damage Control

Chap. 1339. Technical Plan Review and Conformance

Chap. 1341. Annual Registration of Vacant Houses and Buildings and
Registration Fees

TITLE SEVEN - Environmental Health and Housing Maintenance Code

Chap. 1361. General Provisions.

Chap. 1363. Definitions

Chap. 1365. Minimum Standards and Requirements

Chap. 1367. Licensing Requirements

Chap. 1371. Enforcement and Penalty

Chap. 1373. Repairs and Demolition

TITLE TEN - Exterior Property Maintenance Code

Chap. 1381. Title, scope, and conflict.

Chap. 1383. Definitions.

Chap. 1385. Administration and Enforcement.

Chap. 1387. Exterior Property Maintenance.

Chap. 1389. Notice of Violation, Corrective Action, and Appeals.

Chap. 1391. Effective Date.

Chap. 1393. Historic Preservation

CODIFIED ORDINANCES OF KENT

PART THIRTEEN - BUILDING CODE

Revocation of permits; penalties - see BLDG. Ch. 1315

1308.99 PENALTY.

~~Any person who violates any part of this Chapter shall be subject to the following penalties:~~

~~—(a) First Violation: Written citation and \$250.00 fine.~~

~~—(b) Second Violation: \$500.00 fine and classified as suspended and ineligible to register/perform work within the City for a period of one (1) year from the date of the violation.~~

~~—(c) \$500.00 fine per occurrence subsequent to issuance of the second violation.~~

~~—(d) The City of Kent shall also have such remedies as are available under State of Ohio law, including but not limited to, injunctive relief. (Ord. 2014-155. Passed 12-17-14.)~~

Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

CHAPTER 1311
Building, Wrecking and Moving Permits

1311.99 PENALTY.

~~—Whoever violates any provision of this chapter shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation occurs or continues. (Ord. 1999-96. Passed 8-11-99.)~~

Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

1313.99 PENALTY.

~~—Whoever violates any provision of this chapter is guilty of a misdemeanor of the third degree as defined in Section 501.99. Each day's violation shall constitute a separate offense.~~

Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

CHAPTER 1315

Revocation of Permits; Penalties

1315.01 Violations; additional fees for work started without permit.

1315.01 VIOLATIONS; ADDITIONAL FEE FOR WORK STARTED WITHOUT PERMIT.

(a) No person shall fail to obtain a building permit, plumbing permit, electrical permit, heating permit, sign or signboard permit, moving permit, wrecking permit, sewer permit, water tap permit, curb cut permit, street opening permit, tree removal permit or any other permit as required by City regulations.

~~(b) A 100 percent additional fee shall be charged for all permits which are not obtained before any work is started, which additional fee shall apply to all permits required by the City. (Ord. 1965-97. Passed 7-21-65.)~~

1315.99 PENALTY.

~~Whoever violates any of the provisions of this chapter, except in the case of penalties elsewhere provided in the Codified Ordinances for violations of Section 1315.01 is guilty of a minor misdemeanor as defined in Section 501.99. Each day's violation shall constitute a separate offense.~~

Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

1333.99 PENALTY.

~~Any person, firm or corporation failing to so identify, within sixty days after the passage of this chapter (Ordinance 1976-19, passed February 18, 1976), any house, building or other structure occupied by him, shall be fined twenty five dollars (\$25.00). Each day's continued violation shall constitute a separate offense. (Ord. 1976-19. Passed 2-18-76.)~~

Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

1337.06 ENFORCEMENT PENALTY

~~(c) Violations and Penalties. Violation of the provisions of these regulations or failure to comply with any of its requirements shall be deemed to be a strict liability offense, and shall constitute a fourth-degree misdemeanor. Any person who violates these regulations or fails to comply with any of its requirements shall upon conviction thereof be fined or imprisoned as provided by the laws of the City of Kent. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Kent from taking such other lawful action as is necessary to prevent or remedy any violation. The City of Kent shall prosecute any violation of these regulations in accordance with the penalties stated herein.~~

(c) Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

1339.99 PENALTY.

~~Whoever violates any provision of this chapter or any code adopted herein or fails to comply with any lawful order issued pursuant thereto shall be fined not more than one hundred dollars (\$100.00). Each day during which noncompliance or a violation continues shall constitute a separate offense. The Municipality may institute injunction proceedings in Common Pleas Court to abate the nuisance of failure to comply with any lawful order issued pursuant to this chapter. (Ord. 2001-71. Passed 7-18-01.)~~

Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

1341.99 VIOLATIONS AND PENALTIES.

~~The failure or refusal for any reason of any owner, or agent of an owner acting on behalf of the owner, to register a vacant house or building or to pay any fees required to be paid pursuant to the provisions of this section, within 30 days after they become due, shall be fined ten dollars (\$10.00) per day for each day it is late.~~

~~—(a) Renewal Fee: The fee for renewal of a vacated building maintenance license to be determined by Section 1341.07, shall be paid at the time of application for renewal. A renewal license shall expire on the annual renewal date. The annual renewal date shall be December 31 of each year.~~

~~—(b) Late Fee: In addition to the amount assessed for the vacated building maintenance license, the Chief Building Official shall charge a late fee equal to the license or renewal fee~~

~~or \$100.00, whichever is less, if the owner fails to obtain a vacated building maintenance license within the time provided by Section 1341.04 and Section 1341.07 or if the owner fails to apply for renewal of a vacated building maintenance license before the annual renewal date. Unpaid Late Fees shall be considered a debt collectible pursuant to Section 1341.12.~~

~~—(c) Refund: The Community Development Director inspections shall refund the fees for a vacated building maintenance license paid if the subject building is brought into compliance with the standards of Chapter 1341 and reoccupied within one year of payment of the application fee.~~

~~—(d) Revocation of waivers. One year, two year and 90 day extension of waivers issued pursuant to Section 1341.10 and 1341.11 shall be revoked by the Community Development Director if the property owner violates or provides false information in any provision, of sections 1341.03, 1341.06, 1341.07, 1341.08, 1341.13, 1341.15 of this chapter. (Ord. 2011-124. Passed 12-14-11.)~~

Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

1393.13 PENALTY.

~~—(a) Any person violating the provisions of this chapter by failing to perform any act required by this chapter or performing any act which is prohibited by this chapter shall be guilty of a minor misdemeanor and upon conviction thereof shall be fined not less than fifty dollars (\$50.00) nor more than one hundred fifty dollars (\$150.00) for each offense. Every day on which a violation exists shall constitute a separate violation and a separate minor misdemeanor. (Ord. 2012-21. Passed 2-15-12.)~~

(a) Any owner, contractor, developer, operator or designer in violation of the standards set forth in this Section shall be subject to a civil offense in accordance with Section 501.13 of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

(b) Any person who demolishes, alters or constructs a building or structure in violation of this chapter shall be required to restore the building or structure and its site to its appearance prior to the violation. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE
Rhonda C. Hall, CPA, Director

To: Council Members
From: Rhonda C. Hall, CPA, Director of Budget and Finance
Date: December 30, 2024
Re: Then and Now Purchase Order Approval Request

In accordance with Section 5705.41 (D) of the Ohio Revised Code the City must receive approval from Council for all Then and Now purchase orders of more than \$3,000 on a monthly basis. Attached is a list of Then and Now P.O.'s in excess of \$3,000 that are dated December 17, 2024 through December 30, 2024. However, this list will be updated through to January 21, 2025 for approval by Council at the next Regular Council meeting.

We would also like to request that the monthly Then and Now PO approvals be added to the City Manager's list of monthly unauthorized items.

Thank you.

[illegible]

Purchase Order Report

G/L Date Range 12/17/24 - 12/30/24

Sort by Department - Purchase Order Number

Detail Listing

Department	05.560 Public Services Department, Central Maintenance Division	Totals	Pur	1	Amount	\$60,000.00
					Voided	\$0.00
					Discounted	\$0.00
					Expensed	\$0.00
					Remaining	\$60,000.00
					Encumbered	\$60,000.00



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: December 30, 2024

TO: Dave Ruller, City Manager

FROM: Eric Helmstedter, Economic Development Director *EH*

RE: Event Permit Process Recommendations

At the June 5, 2024 Committee meeting, City Council instructed the administration to complete a comprehensive evaluation of the existing event permit process and to identify recommendations for updating the event permit application and any proposed amendments to the Kent Codified Ordinances that will be needed as a result of the changes to the event permit application.

The administration has completed its evaluation and met with local community organization stakeholders including the Jaycees, Kent Area Chamber of Commerce, and Main Street Kent, for input on the proposed changes to event permitting. I am respectfully requesting time at the January 8, 2025 Council Committee meeting to present the recommended updates to the event permit application and the proposed amendments to the KCO in greater detail and to request Council authorization, with emergency, to proceed with the event permit process updates.

If you need any additional information in order to add this item to the agenda, please let me know.

Thank you.

Attachments

cc: Bridget Susel, Community Development Director
Hope Jones, Law Director
Kathy Coleman, Interim Clerk of Council
Dominique Bollenbacher, Community Engagement Coordinator

CITY OF KENT SPECIAL EVENT PERMIT APPLICATION

This application is used for events held on public property within the City of Kent. This application must be submitted at least 60 days prior to the event, but no sooner than one year prior to the event. Acceptance of your application is not a final approval or confirmation of your request.

NAME OF EVENT: _____
EVENT DATE & TIME: _____
EVENT LOCATION(S): _____
EVENT PROCEEDS BENEFICIARY: _____

APPLICANT INFORMATION

Organization Sponsoring Event: _____

Is it Nonprofit: ☐ YES ☐ NO

If so, provide documentation certifying tax exempt, nonprofit status with this application.

Applicant Name: _____ Title/Position: _____

Mailing Address _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Name(s) and phone number(s) of person(s) responsible during the event: _____

Event Website (if applicable): _____

EVENT INFORMATION

Type of Event or Special Activity: _____ (ex. Parade, 5k, Festival, etc.)

Provide a detailed description of the Event (please attach flyer or additional sheet if needed): _____

REQUESTED PERMIT TIME: Start set up: _____ Start event: _____
 End event: _____ End cleanup: _____

Anticipated attendance: _____

Has this Event ever been held in the past: ☐ YES ☐ NO

If so, provide documentation detailing the previous event location, date, and number of attendees.

Admission charged: ☐ YES ☐ NO If so, list the amount of the admission or participation fee: \$ _____

Who will receive the proceeds: _____

EVENT COMPONENTS

Check **all** boxes that apply to your event.

- | | | |
|--|---|---|
| ☐ Alcohol Sales | ☐ Clean Up/Litter Management | ☐ Electric |
| ☐ Fireworks | ☐ Food Vendors | ☐ Handwashing Facilities |
| ☐ Generators | ☐ Music/Sound Amplification | ☐ Portable Toilets |
| ☐ Pyrotechnics | ☐ Street Closures | ☐ Tents |
| ☐ Vendors (Merchandise/Service) | ☐ Vendors (Informational) | ☐ Water |
| ☐ Other: _____ | | |

ALCOHOL SALES (if checked above)

Name of applicant/licensee: _____

A copy of the Ohio Department of Commerce, Division of Liquor Control Approval/Permit must be provided to the City prior to the event.

CLEAN UP/LITTER MANAGEMENT

Applicant is responsible for all trash/litter, grease, damages, ash, and gray water generated by an event.

Describe how you will clean the site generated by the event: _____

A \$100 deposit is required to ensure that the event area is cleaned to pre-event conditions. Refund of deposit is at the discretion of the City, based upon the appearance of the event area once it has been cleaned.

ELECTRIC & WATER SERVICE

Does your event require use of City electric: ☐ YES ☐ NO

If so, please explain: _____

Outdoor extension cords must be 3-prong, with proper grounding and rating approved for outdoor use.

Does your event require use of City water: ☐ YES ☐ NO

If so, please explain: _____

MUSIC/SOUND AMPLIFICATION

Describe any music and/or amplifying equipment that is part of your event: _____

The number and location of stages, number of bands/performers, and a schedule indicating the times and location of bands/performers must be submitted with the application.

PORTABLE RESTROOMS/HANDWASHING FACILITIES

Applicant is responsible for providing any portable restrooms and handwashing facilities needed to accommodate your event attendees and participants. Portable restroom suppliers can assist you with determining the quantity needed for your event.

Name and phone number of company supplying the portable restrooms and handwashing facilities: _____

Number of portable restrooms: _____

Number of handwashing facilities: _____

Delivery date and time: _____

Post event removal date and time: _____

Attach a copy of the contract showing proof of the Portable Restroom suppliers' liability insurance.

STREET CLOSURES

Does your event require street closure(s): ☐ YES ☐ NO

If yes, what street(s) (include specific boundaries with street addresses, use additional pages if necessary): _____

The Service Director will determine the amount and location of barricades and cones required for your event. Applicant may be required to pick up and return the barricades and cones. Barricades and cones may be picked up/returned to the Service Administration Complex, 930 Overholt Road. A \$100 deposit is required to ensure that the barricades and cones are returned in good condition. Refund of deposit is at the discretion of the City based upon condition of the barricades and cones. Additional fees may be incurred should City staff be required to be present for the event.

TENTS

Name and phone number of company supplying the tents: _____

Number of tents and size of each: _____

Method in which tent(s) will be secured: _____

Tents may require a permit and must comply with Ohio Fire Code, Ohio Building Code. Tents may also require liability insurance. Applicant is responsible for reviewing said codes and attaching a copy of the contract showing proof of the Tent supplier's liability insurance. Tent(s) may not be secured in any manner that is damaging to City property.

VENDORS/FOOD SALES

Number of Food Vendors: _____

Number of Merchandise/Service/Informational Vendors: _____

Applicant is required to submit a Vendor List with this application indicating all vendors who will participate in the event. The Vendor List must indicate what each vendor will do, sell, demonstrate, cook (including cooking method), make, hand out, etc.

SITE PLAN

All applicants are required to submit a detailed site plan for all events. Please attached a detailed site plan of your event that clearly indicates the names of all streets or areas that are part of the event footprint, and includes the locations of entrances and exits, food vendors, hand washing facilities, portable restrooms, signage, trash receptacles (not including City trash receptacles) tents, and vendors. Parade/Race applicants should include a map, which clearly indicates the names of all streets or areas, and directions of the proposed route.

COMMUNITY IMPACT

Will the normal operations of residents and businesses be affected by your event: ☐ YES ☐ NO

If so, please explain: _____

For events with any street closure(s), the applicant must attach a copy of the proposed pre-event information. The City of Kent Community Development Department will provide the applicant with a list of affected residents and businesses resulting from any street closure(s). It is the responsibility of the applicant to provide all listed residents and businesses with a copy of the proposed pre-event information and written notification of any street closure(s) by hand delivery or First Class U.S. Mail.

By signing this application, I am certifying that I have received a copy of the rules and regulations of Chapter 316 of the Codified Ordinances of the City of Kent, and I fully understand that should the permit be approved, it can be revoked if any of the provisions of this Chapter are violated.

Applicant Name

Applicant Signature

Date

FOR OFFICIAL USE ONLY. DO NOT WRITE BELOW THIS LINE

On _____ this application was sent for review to the following Departments: Fire, Health, Police, Safety, and Service.

Application Status: ☐ APPROVED ☐ DENIED

Memorandum Agreement Required: ☐ YES ☐ NO

Proof of insurance reviewed and approved by the Law Director: ☐YES ☐NO

Law Director

Date

ACKNOWLEDGEMENT

COST AND DAMAGES

I understand that the application fee of \$100 is due upon submission to the City of Kent. I understand that for events held in the South Water Street Parking lot, the \$100 application fee will be waived. I understand that all fees associated with my event are due upon approval of my event and before a permit will be issued. I understand that additional restitution for any damages incurred during use will be my responsibility.

Initials and Date

CERTIFICATE OF INSURANCE/INDEMNIFICATION/RISK INFORMATION

Once an Applicant receives approval for their event, the Permit holder must furnish a certificate of insurance, in an amount of no less than one million dollars (\$1,000,000), explicitly releasing the City of Kent from all liability relating to the event and naming the City of Kent as an additional insured party for the respective event. This certificate must be provided to the City at least twenty (20) days prior to the event.

I agree to indemnify and hold harmless the City of Kent and its agents and employees from and against all claims, damages, losses and expenses including attorney's fees arising out of or resulting from the Special Event.

Initials and Date

ADDITIONAL FEES

I understand that upon review, and based on the information supplied in this application, it may be determined that my event requires the use of additional City resources, including, but not limited to: Police, Fire, Service, and Health Department personnel and/or equipment. Further information may be requested to make this determination. I understand that there may be additional fees associated with these services which will be my responsibility. I understand that additional fees associated with my event must be paid at least twenty (20) days prior to the event.

Initials and Date

CITY LOGOS

I understand that I am expressly prohibited from the use of the City of Kent's identifying marks without first obtaining written approval from the City.

Initials and Date

APPROVAL

I understand that this application is to request the use of City property, and submission of this application does not guarantee event approval. I understand that approval is based upon the description of the event in the application, and if changes to the event occur that are not stipulated in the original application, they must be submitted in writing for consideration. I understand that all requests must be approved by the City of Kent.

Initials and Date

APPLICANT CHECKLIST

Please use this checklist to ensure that all your supporting documents are submitted for review. Applicant Certificate of Insurance ***must*** have the City of Kent listed as an additional insured. Note that this is a general checklist, and there may be some items not applicable to your event.

- ☐ Completed Application Form
- ☐ Documentation certifying tax exempt, non-profit status
- ☐ Band/Performer Schedule
- ☐ Portable Restroom Supplier's Contract Documenting Liability Insurance
- ☐ Tent Supplier's Contract Documenting Liability Insurance
- ☐ Vendor List
- ☐ Site Plan
- ☐ Community Impact Pre-Event Information
- ☐ Completed Affected Residents and Businesses Approval Petition
- ☐ Applicant Certificate of Insurance (\$1,000,000 minimum)
- ☐ Fee and deposit check(s) – must be made payable to City of Kent
 - Application fee
 - Barricade/Cone deposit
 - Clean Up deposit

CHAPTER 315

Block Parties and Street Assemblages

315.01 Definitions.

315.02 Participation in an unlawful block party or street assemblage.

315.03 Permits.

315.04 Revocation of permit.

315.05 Bonds.

CROSS REFERENCES

Disturbing a procession or gathering - see GEN. OFF. 509.04

315.01 DEFINITIONS.

(a) "Block party" means any willful gathering of two or more persons, within a residential neighborhood, which gathering blocks, hinders or impedes the normal flow of vehicular and/or pedestrian traffic on any public street, sidewalk or tree lawn, with the exception of the following:

(1) Any gathering of law enforcement officials, firefighters or other public officers and employees while such persons are acting in the course of their official duties;

(2) Any gathering of persons outside of residential areas as defined in Chapter ~~s 1127 to 1139~~ 1103 of the Zoning Code, as amended;

(3) Any gathering of persons caused by any vehicular accident, fire, injury to person or property or other catastrophe;

(4) Any gathering of persons who are participating in or observing a lawful parade;

(5) Any auction, house or garage sale so long as vehicular traffic is not blocked or impeded;

(6) Any gathering of persons who are lawfully engaged in the construction, removal, repair, alteration, improvement or maintenance of any roadway, street, utility right of way or

easement, sidewalk, tree lawn, sewer or water line, gas line, electric, telephone or cable television line, utility pole or street light; and

(7) Any gathering of four or fewer persons who are engaged in any other lawful business or commercial activity.

(b) "Street assemblage" means any willful gathering of persons for less than three hours, which does not include sales of goods, food items, or other monetary actions, and which is outside a residential district. "Street assemblage" does not include parades or special events as described in Chapter [316](#) of these ordinances.

(c) "Permit" means a block party permit or street assemblage permit issued by the City Manager or his/her designee pursuant to the provisions of this chapter.

(d) "Affected area" means that portion of a street, alley or roadway, as measured from intersection to intersection, intersection to dead-end or intersection to cul-de-sac as the case may be, which is the site of any block party or street assemblage or any intended or planned block party or street assemblage. When determining the extent of an affected area it shall be necessary to determine the furthestmost point of intersection or intersections of the area where vehicular and/or pedestrian traffic is or will be blocked, hindered or impeded in any way with the area or areas where such traffic will not be so blocked, hindered or impeded. The areas between such intersections or between such intersection and a dead-end or cul-de-sac is an affected area.

(e) "Affected property" means any parcel of land, any part of which borders on any affected area, as such is defined in subsection (d) hereof.

(f) "Affected property owner" means an adult who owns in an affected area. For purposes of proving ownership under this section the identification of ownership as shown on the tax map maintained by the Portage County Tax Map Division of the County Engineer's Office shall be conclusive as of the time when an application for a permit is made.

(Ord. 2005-59. Passed 6-15-05.)

315.02 PARTICIPATION IN AN UNLAWFUL BLOCK PARTY OR STREET ASSEMBLAGE.

(a) No person shall knowingly or recklessly participate in any block party or street assemblage for which a permit has not been obtained. Any notice given in any reasonable manner by a police officer, either in person or over the public address system of a marked police car, advising such person, directly or indirectly, that a block party or street assemblage in which such person is participating is unlawful because a permit for such

party or assemblage has not been obtained, shall constitute adequate notice to such person that his or her continued participation in such block party or assemblage is unlawful. It shall not be a defense to a prosecution under this section that the defendant was intoxicated at the time the foregoing notice was given to him/her.

(b) No person shall knowingly or recklessly participate in any block party or street assemblage after the permit for such party or assemblage has been revoked in accordance with the provisions of this chapter. Any notice given in any reasonable manner by a police officer, either in person or over the public address system of a marked police car, advising such person, directly or indirectly, that a block party or street assemblage in which such person is participating is unlawful because a permit for such party or assemblage has been revoked, shall constitute adequate notice to such person that his or her continued participation in such block party or assemblage is unlawful. It shall not be a defense to a prosecution under this section that the defendant was intoxicated at the time the foregoing notice was given to him/her.

(c) Whoever violates any provision of this section is guilty of a misdemeanor of the first degree. (Ord. 1979-90. Passed 5-23-79.)

315.03 PERMITS.

(a) The City Manager or his/her designee shall issue a permit for a block party upon proper application on such forms as he/she shall furnish for such purpose so long as each and every one of the following requirements is met:

(1) Applicant has deposited in accordance with Section [315.05\(a\)](#), a bond with the City Manager's office.

(2) No more than thirty days or less than ten days (or less if reasonable time is available to arrange city services to meet the permitted use) before the date of the planned block party applicant has submitted on such forms as are furnished by the City Manager for such purpose, a petition requesting the issuance of a block party permit for a specific date and time and bearing the signatures of affected property owners of seventy percent or more of the residences in affected area and affirms by affidavit that each such signature is genuine and that of an affected property owner to the best of applicant's knowledge;

(3) The application clearly identifies the site of the planned block party and all points at which barricades are to be erected and staffed by the sponsor or a co-sponsor to ensure emergency access;

(4) The application clearly states the date and time at which the planned block party is to begin, which time shall not be earlier than 10:00 a.m. and the time when the planned

block party will end, which time shall be no later than fifteen minutes before sunset, as determined by the National Weather Service; and

(5) The planned block party will not, in the opinion of the City Manager or his/her designee present a substantial risk of harm to persons or property if held at the location, date and times requested.

(b) The City Manager or his/her designee shall issue a permit for street assemblage upon proper application therefor on such forms as he/she shall furnish for such purpose so long as each and every one of the following requirements is met:

(1) Applicant has deposited in accordance with Section [315.05\(a\)](#), a bond with the City Manager's Office.

(2) No more than thirty days or less than ten days before the date of the planned street assemblage applicant has submitted written application which clearly identifies the site of the planned street assemblage and all points at which barricades are to be erected and staffed by the sponsor or a co- sponsor to ensure emergency access;

(3) The application clearly states the date and time at which the planned street assemblage is to begin, which time shall not be earlier than 7:00 a.m. and the time when the planned street assemblage will end, which time shall be no later than 2:00 a.m.;

(4) The planned street assemblage will not, in the opinion of the City Manager or his/her designee present a substantial risk of harm to persons or property if held at the location, date and times requested.

(5) Every block party or street assemblage permit issued pursuant to this chapter shall contain the following information:

(a) The name of the applicant;

(b) The applicant's residential and business addresses and telephone numbers;

(c) The date and times for which the permit is valid;

(d) The place for which the permit is valid along with the locations of all barricades;

(e) An estimate of the number of participants expected to attend;

(f) A statement signed by the applicant and acknowledging the fact that the permit can be revoked pursuant to the provisions of Section [315.04](#) and if the permit is for a block party, that the bond posted pursuant to subsection (a)(1) hereof can be forfeited in accordance with the provisions of Section [315.05](#).

(g) An explanation of how the return of any moneys posted as bond pursuant to subsection (a)(1) hereof can be requested.

(Ord. 2005-59. Passed 6-15-05.)

315.04 REVOCATION OF PERMIT.

(a) Any permit can be revoked by the City Manager, or if he/she is not present, by the ranking police officer on duty upon the happening of any one or more of the following events:

(1) Any expansion of the block party or street assemblage beyond the affected area regardless of whether such expansion is known or approved by the permit holder;

(2) Any acts of vandalism, littering, disorderly conduct or criminal activity by any of the participants in a block party or street assemblage regardless of whether the perpetrators of such acts are apprehended; or

(3) Any other acts or circumstances, lawful or unlawful which, in the opinion of the City Manager or the ranking police officer on duty, create a substantial risk of injury to person or property.

(b) If a permit is revoked the fact of such revocation shall be given to all participants and persons in or near the affected area by announcing such fact over the public address system of any marked police car or by any other manner reasonably calculated to **effect** **affect** such notice. It shall not be necessary to give notice of relocation to the permit holder except insofar as such permit holder may be a participant in the block party or street assemblage.

(Ord. 1979-90. Passed 5-23-79.)

315.05 BONDS.

(a) The one hundred dollars (\$100.00) bond required by Section [315.03\(a\)\(1\)](#) OR (b)(1) shall be paid by cash, certified check, cashier's check or money order which shall be deposited with the City Manager's Office who shall acknowledge receipt thereof and deposit the bond with the Director of Finance. Said bond may be waived by the City Manager in case of proven indigency.

(b) Amounts deposited pursuant to this chapter shall earn no interest for the depositor while such moneys are on deposit with the Director of Finance.

(c) Bonds held pursuant to this chapter shall be returned only to the person to whom the original receipt for deposit was given upon such person making application for the refund in

person at the offices of the Director of Finance, who shall refund such deposit within five working days upon presentation by the applicant of each and every one of the following:

(1) The original receipt given on behalf of the Director of Finance when the bond was posted, which receipt must also bear the signature of the City Manager or his/her designee and an acknowledgment by the City Manager or his/her designee that such bond has not been forfeited pursuant to subsection (d) hereof. This receipt must be surrendered to the Director of Finance upon return of the original check or money order;

(2) Reasonable proof of identity; and

(3) A statement from the office of the City Manager approving the release of the funds.

(d) Amounts deposited as bond pursuant to subsection (a) hereof shall be forfeited to the City and deposited in the General Fund upon the happening of any one of the following events:

(1) Failure of the depositor to apply for a refund within five working days after the related permit has expired;

(2) Revocation of the related permit pursuant to the provisions of [Section 315.04](#) upon written confirmation given to the Director of Finance by the City Manager or his/her designee of such revocation which confirmation shall include the reason for the revocation;

(3) Failure to return city property or equipment which may have been issued to the applicant for use at said event.

(4) The commission by any participant in the related block party of any act of disorderly conduct, vandalism, littering or other criminal act regardless of whether such participant is apprehended, as shall be verified in writing and given to the Director of Finance by the City Manager or his/her designee which verification shall identify the proscribed act or acts for which the aforesaid bond will be forfeited; or

(5) The finding of any litter on the affected area or any vandalism to public or private property on or near the affected area the morning after such party has been held, regardless of whether such acts of littering or vandalism have been witnessed or the perpetrators thereof apprehended, as shall be verified in writing and given to the Director of Finance by the City Manager or his/her designee which verification shall identify the proscribed act or acts for which the aforesaid bond will be forfeited.

(Ord. 1997-15; Passed 3-19-97.)

CHAPTER 316

Special Events - Parades, Festivals, Carnivals, Public Assemblies, Etc.

[316.01](#) Definitions.

[316.02](#) Permit required.

[316.03](#) General considerations for issuance.

[316.04](#) Rules, guidelines, conditions and requirements for issuance.

[316.05](#) Revocation of permit.

[316.06](#) Guidelines for marches, demonstrations, assemblies or picketing.

[316.07](#) Bonds.

CROSS REFERENCES

Disturbing a procession or gathering - see GEN. OFF. [509.04](#)

316.01 DEFINITIONS.

(a) Carnival - An event requiring the closing of streets or the use of City right-of-way primarily for the purpose of mechanical rides, but also for other amusements, food vendors, or other for-profit ventures.

(b) Festival - An event requiring the closing of streets or the use of City right-of-way for amusements, food vending, displays, and other entertainment activities, for which the primary purpose is community enjoyment **and charitable purposes**, and **is sponsored the applicant is by** a non-profit agency **for charitable purposes**.

(c) Marches, demonstrations, assemblies or picketing shall be defined as an organized walk or procession or assembly by a group of people for a specific cause or issue, that takes place on sidewalks or public right of way, excluding streets, alleys, roads, thoroughfares or highways.

(d) Parade - An event requiring the closing of streets or the use of City right-of-way for purposes of a procession of persons, groups, vehicles, animals, floats, and other conveyances.

(e) Race - Any competitive or non-competitive event traversing a prescribed course, which includes city streets, highways or rights-of-way, which requires closing some or all of

the affected streets, to other traffic, or requires dedication of safety personnel for control or direction.

(f) Public Assembly - An event requiring the closing of streets or the use of City right-of-way for the purposes of assembly of persons for more than three hours.

(g) Special event - Any carnival, festival, parade, race, public assembly, or other event occurring on city streets, property or right-of-way, excluding city property regulated by the Department of Parks and Recreation, for which a permit is required by the provisions of this chapter.

(h) "Permit" means a Special Event Permit issued by the City Manager or his/her designee pursuant to the provisions of this chapter.

(i) "Affected area" means that portion of a street, alley or roadway, as measured from intersection to intersection, intersection to dead-end or intersection to cul-de-sac as the case may be, which is the site of any block party or street assemblage or any intended or planned block party or street assemblage. When determining the extent of an affected area it shall be necessary to determine the furthestmost point of intersection or intersections of the area where vehicular and/or pedestrian traffic is or will be blocked, hindered or impeded in any way with the area or areas where such traffic will not be so blocked, hindered or impeded.

The areas between such intersections or between such intersection and a dead-end or cul-de-sac is an affected area.

(j) "Affected property" means any parcel of land, any part of which borders on any affected area, as such is defined in subsection (d) hereof.

(k) "Affected resident" mean an adult who leases or owns affected property and resides thereon. For purposes of proving ownership under this section the identification of ownership as shown on the tax map maintained by the Portage County Tax Map Division of the County Engineer's Office shall be conclusive as of the time when an application for a permit is made. For purposes of proving a leasehold interest under this section it shall be necessary to produce a valid written lease wherein the alleged affected resident is clearly identified by name as a lessee thereunder or a signed letter from the owner of the affected property in which letter the alleged affected resident is clearly identified by name as a lessee under an oral lease of such property.

(l) ~~"Sponsor"~~ "Applicant" shall mean a legally responsible representative or entity, adult, who may be a representative of an organization, who is capable of meeting all requirements of this chapter.

(m) "Animal" shall mean any dog, cat, domestic animal, or other animal.

(Ord. 2006-45. Passed 4-19-06.)

316.02 PERMIT REQUIRED.

(a) No person, group of persons or organization shall conduct or participate in any special event upon any street or highway or right-of-way, without first obtaining a permit from the City Manager.

Applications for such permits shall be made on such forms as may be prescribed and shall contain such information as is reasonably necessary consistent with this chapter to a fair determination of whether a permit should be issued. Applications shall be filed not less than **thirty sixty** days before the time intended for such **parade or procession special event**. An application fee of \$100.00 shall be due and payable to the city at such time as an application for a permit is filed with the City. **Applicable bonds must be deposited with the City Manager's Officer in accordance with Section 316.07 prior to the issuance of an approved permit.** The permit may be refused or canceled if:

(1) The time, place, size or conduct of the special event including the assembly areas and route of march would unreasonably interfere with the public convenience and safe use of the streets and highways.

(2) The special event would require the diversion of so great a number of police officers to properly police the line of movement, assembly area and areas contiguous thereto so as to deny normal police protection to the Municipality.

(3) The special event route of march or assembly areas would unreasonably interfere with the movement of police vehicles, fire-fighting equipment or ambulance service to other areas of the Municipality.

(4) The special event would unreasonably interfere with **other scheduled civic events,** **or** another event for which a permit has been issued.

(5) The information contained in the application is found to be false, misleading or incomplete in any material detail. An emergency such as a fire or storm would prevent the proper conduct of the event.

The permit or any order or memorandum accompanying it may limit or prescribe reasonable conditions, including the hours, the places of assembly and of dispersal, the route of march or travel and the streets, highways or portions thereof which may be used or occupied.

(b) Whoever violates any provision of this section is guilty of a misdemeanor of the first degree. (Ord. 2006-45. Passed 4-19-06.)

316.03 GENERAL CONSIDERATIONS FOR ISSUANCE OF SPECIAL EVENT PERMITS.

(a) Special event permits for periods of greater than three hours duration shall be reviewed and approved by the City Council.

(b) Applications for special event permits shall be made not greater than one year in advance, nor less than ~~thirty~~ **sixty** days in advance **of the date of the event listed on the special event permit application.**

(c) Special event permit applicants shall meet with the City Manager or his/her designate to develop a plan which will comply with all mandatory provisions of this chapter. Said meeting shall be held sufficiently in advance to provide for review and approval by the City Council. Said plan will not be approved and binding until final City Council approval.

(d) The plan developed through said meeting shall consider all criteria identified in the provisions of this chapter, and shall be reduced to writing in the form of a Memorandum of understanding, to be forwarded with all other required documents for City Council review.

(e) Parades or events of less than three hours duration shall be similarly reduced to a memorandum of understanding, but will not require City Council approval if the event has been conducted in previous years, and does not require a substantial dedication of city resources, equipment, or personnel.

(f) Any event **in** which **the applicant** is **sponsored by** a for-profit organization shall be presented for City Council approval, and all expenses of the city in support of the event shall be paid by the **sponsor applicant**. City costs of for-profit events by non-profit organizations shall be paid by the **sponsor applicant**. City costs of events which have a coordination of for-profit and non-profit vendors and/or booths, rides, or attractions may be split equally between the city and the **sponsor applicant**. City costs of non-profit events by non-profit organizations with only non-profit vendors may be paid by the city. Non-profit status shall require provision of documentation **and financial statements certifying tax exempt, non-profit status**. A determination of the city's share of additional expenses brought about by the issuance of a special event permit shall be determined by City Council at the time the event is brought before it for approval.

(g) The City Council may require any other reasonable conditions beyond those provided for in any memorandum of understanding which it reasonably feels are necessary for the safe, efficient and proper use of city rights-of-way and other city resources.

(Ord. 2006-45. Passed 4-19-06.)

316.04 RULES, GUIDELINES, CONDITIONS AND REQUIREMENTS FOR ISSUANCE OF A SPECIAL EVENT PERMIT.

(a) Access to businesses and residences- The **sponsor applicant** shall ensure reasonable access to businesses and residences within the affected area of the special event.

(b) Alcoholic beverages – **Sponsors Applicants** of events which propose the consumption of alcoholic beverages within the affected area of the event shall meet the following guidelines:

~~(1) City Council approval will be required, with waiver of the "Open Container" ordinance.~~

~~(2)~~ (1) An "F" liquor permit will be required from the State of Ohio, which will be the responsibility of the **sponsor applicant** to obtain and submit a copy to the city prior to the event.

~~(3)~~ (2) The **sponsor applicant** will present a plan to limit accessibility of alcoholic beverages to underage people and excessive drinkers.

~~(4)~~ (3) The **sponsor applicant** shall specify and agree to limited hours of availability of alcoholic beverage.

~~(5)~~ (4) The **sponsor applicant** will identify and contain a specific area in which consumption of alcoholic beverage may be consumed.

~~(6) The sponsor or alcoholic beverage vendor will obtain "liquor liability" insurance for the event, to the satisfaction of the Law Director.~~

(c) Anti-Discrimination Provisions - Use of the city streets and right-of-ways may not discriminate for or against a given class of people.

(d) Fire Prevention/Suppression - Applicants **and sponsors** will be required to meet the following guidelines:

(1) Any vendors who utilize cooking or other heating equipment shall have a fire extinguisher with a minimum rating **that meets the specified standards required by the Ohio Fire Code, as amended, of 2A10BC** available at all times.

(2) A clear fire lane shall be maintained throughout the course of the affected area.

(3) Gasoline powered generators may be permitted, but gasoline storage on site shall be limited to five gallons which shall be stored in a UL approved container.

(4) Use of tents, ~~or canopies, etc. of greater than 900 square feet in size, or to be used above or in close proximity to open flames, cooking grills, or other flammable agents, shall be by~~ may require a permit issued by the fire department, ~~or the building department,~~ and shall ~~be consistent with~~ meet the ~~specified standards required by the~~ Ohio Fire Code ~~and Ohio Building Code, as amended.~~

(e) Food Vendors - Food vendors shall be licensed and inspected by the Kent City Health Department. A list of all food vendors and their proposed food items must be submitted at least fourteen days prior to the event, to be reviewed for licensing and health provisions.

(f) Health and Sanitation - The ~~sponsor applicant~~ of events of greater than three hours duration shall meet the following guidelines:

(1) ~~Temporary comfort facilities~~ Portable restrooms (Port-a-potties) shall be provided in a number sufficient for the anticipated crowd.

(2) The ~~sponsor applicant~~ shall provide or make arrangements for hand washing and sanitary provisions for all food providers in proximity to the area where food is to be sold.

(3) The ~~sponsor applicant~~ shall provide proper receptacles for the disposal of grease, fat, and other cooking residue, if applicable.

(4) The applicant shall provide proper receptacles for the disposal of trash.

(g) First aid for events which last longer than three hours, the ~~sponsor applicant~~ shall provide, or make arrangements to provide a first aid station to the satisfaction of the fire chief or his/her designee.

(h) Hours - The ~~sponsor applicant~~ shall identify the intended hours of operation of the special event, as well as the necessary hours for set-up and clean-up. Weekend events shall be cleaned up in sufficient time to provide no impact on the next-following business day in the affected area.

(i) Insurance – ~~Sponsors Applicants~~ shall carry general liability and products/completed operations insurance with policy limits of at least one million dollars (\$1,000,000) combined single limit coverage for each occurrence and in the aggregate. The insurance shall specify coverage for all activities of the ~~sponsor applicant~~, as well as the activities of their vendors and event providers, except where specific insurance certificates are provided by the event providers or vendors. The City of Kent shall be named as an Additional Insured on all policies of insurance. Proof of this insurance shall be provided to

the City Manager's office, and approved by the Law Director, prior to the final issuance of the special event permit. Said certificates must be delivered to the City Manager thirty (30) days prior to the event shall require thirty (30) day cancellation notice. Additional insurance which may be required, and if applicable, shall also meet the above requirements.

Examples of additional insurance shall include:

Tents--Liability insurance carried by the tent supplier.

Portable restrooms--Liability insurance carried by the portable restroom supplier.

Mechanical rides--Liability insurance carried by the ride operator.

Liquor liability insurance--In situations in which alcoholic beverages are permitted.

Fireworks Displays---Liability insurance carried by the licensed fireworks display company.

If available, the insurance shall be issued by a State of Ohio admitted insurance carrier, and if not available, it must be approved by the City Manager. All proof of insurance required by this chapter shall be reviewed and approved by the Law Director prior to issuance of the special event permit.

(j) Mechanical Rides – Sponsors Applicants shall submit a plan for proposed location of mechanical rides at least fourteen days prior to the event. Location will be subject to approval of the city engineering department based on possible impact on city infrastructure. Mechanical ride operators shall provide only rides which have been inspected and approved by the State of Ohio, and may be subject to further inspection by city inspectors. State inspection certificates shall be available upon request. Mechanical ride operators shall provide for all necessary equipment to protect the city's streets and facilities from damage, but any damage which may occur will be the responsibility of the sponsor applicant to repair. Mechanical ride operators will be required to show proof of insurance which further indemnifies the city.

(k) Neighborhood Approval - For events of greater than three hours, which are not a continuation of events from previous years, the sponsor applicant shall conduct a survey of the residents and businesses in the affected area. The survey shall be in the form of a petition requesting the issuance of a special event permit for a specific date and time and bearing the signatures of affected residents of seventy percent or more of the affected area and affirms by affidavit that each such signature is genuine and that of an affected resident to the best of applicant's knowledge. For events which are a continuation of events from previous years, the The applicant shall provide with its special event permit application a community impact pre-event information sheet which the applicant will disseminate to residents and businesses in the affected area.

(l) Noise Limitations - ~~City standards for noise will apply to special events as they may affect surrounding residential neighborhoods as defined in Codified Ordinance Chapters 1127 to 1139~~ Exempt under 509.12(h).

(m) Pavement Protection - Vendors whose activities create residue which may ~~effect~~ ~~affect~~ the streets or sidewalks shall use sand and/or Stay-Dry to prevent damage. Failure to do so which results in damage, or failure to properly clean the area after use will result in costs assessed to the ~~sponsor applicant~~.

(n) Permits, Special - Special permits in addition to the general Special Event Permit may be required as indicated elsewhere in these requirements. Examples include; liquor permits, mechanical ride permits, fireworks permits, Fire Code permits. Others may be applied as may be indicated by the nature of the event. All required permits must be submitted at least fourteen days in advance of the special event.

(o) Security - Security requirements will be reviewed with the police department upon application for the special event permit, but not later than fourteen days prior to the event. A meeting may be held to determine the number of personnel required, the general duties, special responsibilities, and security during non-active hours if the event lasts more than one day. The final decision on necessary levels and types of security shall be based on a recommendation of the police chief. Costs may be assigned as defined in Section 316.03(f) of this chapter.

(p) Site Plan – Event applications must include a detailed site plan for the proposed event, which clearly indicates the names of all street or areas that are part of the event footprint, and includes the locations of: entrances and exits, food vendors, hand washing facilities, portable restrooms, signage, trash receptacles (not including City trash receptacles), tents, and vendors, at the time the special event permit is submitted. For parades/races, applicants shall submit a map, which clearly indicates all streets or areas, of the proposed route, at the time the special event permit is submitted.

(q) Street Closures – Street closures are subject to Council approval. The Service Director will determine the amount and location of barricades and cones required for street closures. The applicants may be required to pick up and return the barricades and cones from the Street Department. A bond of one hundred dollars (\$100) will be due and payable to the City at such time as an application for a permit is filed with the City. The deposit is refundable at the discretion of the City of Kent. Additional fees may be incurred should City staff be required to provide services for the event during outside of normal business hours.

(p) (r) Trash and Recycling - The **sponsor applicant** will be required to make arrangements for necessary trash containers, recycling containers, and central dumping point for the removal of all solid waste generated by the event. The **sponsor applicant** will also make arrangements for the removal of all food preparation residue and waste consistent with Health Department recommendations. **A bond of one hundred dollars (\$100) will be due and payable to the City prior to the issuance of an approved permit.**

(q) (s) Utility Services.

(1) Water can be made available from **designated access points on North Water St. between East Main St. and Portage St. metered access via fire hydrant throughout the special event area. The sponsor will be responsible to arrange for such access, if desired, through the city's Utility Billing Department. (Ord. 1999-22. Passed 2-3-99.)**

(2) Electric service is available in the downtown area **through a central access panel located in the alley between South Water St. and Franklin Ave., one-half block south of Main St.** The **sponsor applicant** will be responsible to provide electrical connection lines **to this panel**, following guidelines available from the **Deputy** Service Director/Superintendent of Engineering's office.

(Ord. 2002-106. Passed 11-6-02.)

(r) (t) Gambling - Gambling is prohibited in the area of a special event permitted by the City. Lawful gambling, in the form of non-profit, charitable raffles, may be conducted. If in doubt, it is recommended that the **sponsoring organization applicant** check with competent legal counsel on the legality of any proposed activity, and provide the city with such opinion at least fourteen days prior to the event.

(s) (u) Vendor Access - Vendors within the permit area shall be regulated by the **sponsor applicant**. Vendors not approved by the **sponsor applicant** shall not be permitted in the permit area. This restriction shall not apply to vendors on private property.

(t) (v) Waivers, Sporting Events -

(1) Every participant in a "Special Event" sporting event shall be required to sign a waiver of liability as to the City of Kent and the event **sponsor applicant(s)** for any injuries they may receive as a result of participation in said sporting event. Minors who wish to participate shall have their waiver(s) signed by their parent or guardian.

(2) The form of the waiver(s) shall be approved by the Law Director at least 15 days before the date of the event. (Ord. 1999-22. Passed 2-3-99.)

~~(u)~~ (w) Permit holders shall be responsible for fulfilling ASCAP (American Society of Composers, Authors, and Publishers) requirements for any music played at a special event, including but not limited to reporting requirements. In addition, the permit holder shall be responsible for any costs charged to the city or the applicant by ASCAP for said event.

(Ord. 2002-128. Passed 12-11-02.)

~~(v)~~ (x) (1) Permit holders shall provide notice of a prohibition on animals at any special event by including the following warning language within all signs, notices or advertising for the event, and signs prominently posted at all entry points to the event area. Said warnings shall read “No pets/animals are permitted within the Special Event area in violation of Sections ~~505.20~~ 505.21 of the Codified Ordinances of the City of Kent”.

(2) This section shall not apply to animals owned by a public law enforcement agency and being utilized for law enforcement purposes, or if the animal is a trained service/assistance dog working for its owner.

(3) This section does not apply to animals the special event ~~sponsor~~ applicant has approved as a part of the special event as part of a ride, display or informational booth, and has specifically identified in the permit application process with the City of Kent pursuant to this Chapter.

(Ord. 2005-43. Passed 5-4-05.)

316.05 REVOCATION OF PERMIT.

(a) Any permit can be revoked by the City Manager or his/her designate, or if he/she is not present, by the ranking police officer on duty upon the happening of any one or more of the following events:

(1) Any expansion of the special event beyond the affected area regardless of whether such expansion is known or approved by the permit holder;

(2) Any acts of vandalism, littering, disorderly conduct or criminal activity by any of the participants in special event regardless of whether the perpetrators of such acts are apprehended; or

(3) Any other acts or circumstances, lawful or unlawful which, in the opinion of the City Manager or the ranking police officer on duty, create a substantial risk of injury to person or property.

(b) If a permit is revoked the fact of such revocation shall be given to all participants and persons in or near the affected area by announcing such fact over the public address system of any marked police car or by any other manner reasonably calculated to **effect** **affect** such notice. It shall not be necessary to give notice of revocation to the permit holder except insofar as such permit holder may be a participant in the special event.

316.06 GUIDELINES FOR MARCHES, DEMONSTRATIONS, ASSEMBLIES OR PICKETING.

(a) When marches, demonstrations, assemblies or picketing occur within the city rights-of-way upon any street or highway, the permit described in section [316.02](#) is required.

(b) No city permit shall be required for marches, demonstrations, assemblies or picketing, which do not take place on a street or highway within the city rights-of-way. No city permit shall be required for marches, demonstrations, assemblies or picketing that occur on a tree lawn or sidewalk, even though within the city rights-of-way. Notification of such an event must be given either to the City Manager's Office or the city police department.

(c) The following guidelines must be followed:

- (1) No unlawful activities shall take place during an event.
- (2) Activities shall not take place upon private property without the property owner's consent.
- (3) Pedestrians shall be provided safe passage within the area of the event, including access to any adjacent private property.
- (4) Vehicular traffic shall not be blocked from legal ingress or egress to private property.
- (5) Participants shall obey all traffic regulations, such as pedestrian walkways, traffic signals, etc.
- (6) Police shall be provided notice of the event if notice has not been given to the City Manager's Office, in order to provide for safety of the participants.

(d) Marches, demonstrations, assemblies or picketing may be ordered disbanded by the City Manager, his/her designate, or if he/she is not present, by a duly authorized police officer, if the event creates an imminent threat to the safety of the participants or other citizens in the immediate area, or if the event is in substantial non-compliance with the conditions in section(c) above.

(e) Failure to disperse when a proper order to do so has been lawfully issued may subject participants to arrest for violation of Failure to Disperse, City Ordinance [509.02](#).

(f) No actions by City Officials in enforcement of this ordinance shall be undertaken with a purpose to inhibit the exercise of freedom of speech.

316.07 BONDS.

(a) The one hundred dollar (\$100.00) bond required by Section 316.04(q) OR (r) shall be paid by cash, certified check, cashier's check or money order which shall be deposited with the City Manager's Office who shall acknowledge receipt thereof and deposit the bond with the Director of Finance. Said bond may be waived by the City Manager in case of proven indigency.

(b) Amounts deposited pursuant to this chapter shall earn no interest for the depositor while such moneys are on deposit with the Director of Finance.

(c) Bonds held pursuant to this chapter shall be returned only to the person to whom the original receipt for deposit was given upon such person making application for the refund in person at the offices of the Director of Finance, who shall refund such deposit within five working days upon presentation by the applicant of each and every one of the following:

(1) The original receipt given on behalf of the Director of Finance when the bond was posted, which receipt must also bear the signature of the City Manager or his/her designee and an acknowledgment by the City Manager or his/her designee that such bond has not been forfeited pursuant to subsection (d) hereof. This receipt must be surrendered to the Director of Finance upon return of the original check or money order;

(2) Reasonable proof of identity; and

(3) A statement from the office of the City Manager approving the release of the funds.

(d) Amounts deposited as bond pursuant to subsection (a) hereof shall be forfeited to the City and deposited in the General Fund upon the happening of any one of the following events:

(1) Failure of the depositor to apply for a refund within five working days after the related permit has expired;

(2) Revocation of the related permit pursuant to the provisions of Section 315.04 upon written confirmation given to the Director of Finance by the City Manager or his/her designee of such revocation which confirmation shall include the reason for the revocation;

(3) Failure to return city property or equipment which may have been issued to the applicant for use at said event.

(4) The commission by any participant in the related block party of any act of disorderly conduct, vandalism, littering or other criminal act regardless of whether such participant is apprehended, as shall be verified in writing and given to the Director of Finance by the City Manager or his/her designee which verification shall identify the proscribed act or acts for which the aforesaid bond will be forfeited; or

(5) The finding of any litter on the affected area or any vandalism to public or private property on or near the affected area the morning after such party has been held, regardless of whether such acts of littering or vandalism have been witnessed or the perpetrators thereof apprehended, as shall be verified in writing and given to the Director of Finance by the City Manager or his/her designee which verification shall identify the proscribed act or acts for which the aforesaid bond will be forfeited.

(Ord. 2006-45. Passed 4-19-06.)

CHAPTER 744

Mobile Food Unit Regulations

EDITOR'S NOTE: By Ordinance 2022-054, passed April 20, 2022, Kent City Council hereby authorizes an indefinite moratorium suspending the applicability of Ordinance No. 2022-004 titled Chapter 744 "Mobile Food Unit Regulations" to enable a reasoned discussion and consideration of desired amendments to that Ordinance. Any inspections by the Health and Fire Department required under any other ordinances or state laws are in no way affected by this moratorium.

744.01 Purpose.

744.02 Definitions; permit.

744.03 Scope of chapter.

744.04 Mobile food unit requirements.

744.05 Operation of mobile food units.

744.06 Non-compete.

744.07 City authorized special events.

744.08 Exemptions.

744.09 Enforcement.

744.10 Severability.

744.99 Penalty.

744.01 PURPOSE.

(a) The City of Kent recognizes and supports the vitality and activity that is created by outdoor business activities within the City and the benefit that mobile food services bring to the City and local businesses.

(b) The purpose of establishing these regulations is to create a pleasant and vibrant environment for local businesses, visitors and residents, to provide an opportunity for limited mobile food services operations at City and/or business or industrial properties, to

prevent the obstruction of pedestrian, bicycle and motor vehicle traffic, to ensure that adequate efforts are made to protect the health, safety and welfare of the public by requiring permits for mobile food units and to establish minimum requirements for the permitting operation of such units as defined by the Ohio Fire Code.

(Ord. 2022-004. Passed 1-19-22.)

744.02 DEFINITIONS; PERMIT.

When used in this chapter, unless the context otherwise requires, the following terms shall have the following meanings:

(a) **Mobile Food Unit** shall mean any apparatus or equipment that is used to cook, prepare or serve food, and that routinely changes or can change location and is operated from a moveable vehicle, apparatus or other portable structure, including but not limited to motorized vehicles, trailers, hand propelled carts and tents.

(b) **Limited Use Permit.** Approval may be had by permit issued by the City Manager's Office made by the property owner or occupant or occupant and an approved Mobile Food Unit vendor. Limited Use Permits for Mobile Food Units shall limit permission to operate to five (5) days each week at a business location. Applications for Limited Use Permits may be made for periods of two (2) months at a time. Notwithstanding the provisions of this Chapter, Kent residents/businesses that have a one-time food truck at their home/business for a private party/catered event are not required to file for a permit and are exempt from this chapter. Home Owner or occupant Associations and Condominium Owner or occupant Associations using its' own private property for Mobile Food Units for the enjoyment of its members are likewise exempt from the provisions of this chapter.

(Ord. 2022-004. Passed 1-19-22.)

744.03 SCOPE OF CHAPTER.

The owner or occupant of a Mobile Food Unit, as defined by the Ohio Fire Code, may submit an application, signed by the property owner or occupant or occupant authorizing the use of the location, and obtain a Limited Use Permit from the City of Kent City Manager's Office prior to operating in the City of Kent. A Mobile Food Unit may not operate on property within the City unless it has passed a Fire Department and Health Department inspection and obtained a Limited Use Permit.

(Ord. 2022-004. Passed 1-19-22.)

744.04 MOBILE FOOD UNIT REQUIREMENTS.

(a) Each Mobile Food Unit shall contact the Kent Fire and Health Departments to schedule an inspection. Inspections shall be conducted at a cost of fifty dollars (\$50.00) for both inspections which will be valid for one year. Applicants should apply for a permit not less than one week before operating. The City's Fire and Health Departments will approve or deny the application before the expiration of that week. If the permit is denied applicant may file an appeal pursuant to Section [745.05](#) of the Kent Codified Ordinances.

(b) The Chief or designee of the Kent Fire Department will schedule the inspection of the said Mobile Food Unit in conjunction with the Health Department, and conduct the inspection pursuant to the Ohio Fire Code, Ohio Health Code and the Kent Codified Ordinances.

(c) The application fee for a Limited Use Permit shall be fifty dollars (\$50.00) for up to a two (2) month permit to a maximum of three hundred dollars (\$300.00) per year as long as the permits are for the same location each time. All permits are valid for the dates and months issued.

(d) Mobile Food Units are required to maintain the following certifications: Board of Health approved license to sell food; documentation that the LP gas tank and piping system (where applicable) has been inspected and tested in accordance with all required standards within the last twelve (12) months; and proof of insurance. Additional required documentation may include other certifications or federal, state or local licensure depending on the type of operation being conducted. Documentation must be provided to the Fire Chief, Assistant Fire Chief or designee at time of inspection.

(e) During the inspection, the owner or occupant or responsible party shall be present to show, operate, explain and discuss the components of the Mobile Food Unit.

(f) Upon completion of the inspection, the owner or occupant or responsible party will be issued a fire safety inspection report detailing the findings of the inspection.

(g) A fire safety inspection report indicating Passing in all fields will be accompanied with an inspection permit which will indicate that the Mobile Food Unit has been permitted and inspected.

(h) A fire safety inspection report indicating Fire Code deficiencies will require the owner or occupant or responsible party to take specific action or actions to bring their Mobile Food Unit up to the specified standards required by the Ohio Fire Code and the Kent Codified Ordinances. Upon completion of the actions or repairs to the Mobile Food Unit, the owner or occupant or responsible party can then schedule a re-inspection with the Fire

Chief or designee to show compliance with the original inspection report deficiencies. A re-inspection will require the payment of the full fee as was required for the first inspection.

(i) Upon successful reinspection, the Mobile Food Unit will be issued a record of inspection to indicate compliance of the Mobile Food Unit.

(j) On-site inspections may be performed by authorized Health and Fire Department officials/members at their discretion any time the Mobile Food Unit is operating in Kent's jurisdictional boundaries.

(k) The City reserves the right at all times to require a Mobile Food Unit to relocate to alternate location or cease to operate as determined by the enforcement official if the approved location needs to be used for emergency purposes or other public benefit or if in the opinion of the enforcement officer the Mobile Food Unit presents a safety hazard to the public.

(l) Mobile Food Units shall adhere to all applicable parking regulations for commercial vehicles.

(m) Mobile Food Units shall display the Permit prominently during all times of operation. (Ord. 2022-004. Passed 1-19-22.)

744.05 OPERATION OF MOBILE FOOD UNITS.

(a) Operation Without Limited Use Permit. No Mobile Food Unit shall be operated without a valid Mobile Food Unit Limited Use Permit issued pursuant to this Chapter.

(b) Unattended Vehicles Prohibited. No Mobile Food Vehicle shall be parked on the street overnight, or left unattended or unsecured at any time food is kept in the Mobile Food Unit. The owner or occupant or operator of any Mobile Food Unit found to be in violation of this subsection may be charged with a violation of this chapter.

(c) A Mobile Food Unit may be located within any zoning district except Residential Districts. A Mobile Food Unit found at an unauthorized location, or beyond the dates, times, or hours permitted, shall be in violation of this section and may be subject to enforcement under Section [744.99](#).

(d) Any property owner or occupant that permits a Mobile Food Unit to operate or park on the property without permit shall be in violation of this section and to enforcement under Section [744.99](#).

(e) Mobile Food Units are prohibited from selling alcoholic beverages.

(f) Mobile Food Units may not operate within twenty-five (25) feet of a residential property line.

(g) Mobile Food Units may operate or park for not longer than eight (8) hours at any given time.

(h) Mobile Food Unit operators shall notify the Fire Department Fire Inspector's Office any time the location of the Mobile Food Unit is changed.

(i) Mobile Food Units may not operate, stop, stand or park in any area that impedes the use of the right-of-way that is intended for use by vehicular travel or that in any way impedes the use of the right-of-way or that present an unsafe condition for any patron, pedestrians, or other vehicles EXCEPT during City authorized Special Events **in which the Mobil Food Unit is listed as a participating vendor on the approved Special Event Permit.**

(j) Amplified music or other sounds from any Mobile Food Unit may not at any time unreasonably disturb nearby residents, businesses, pedestrians or vehicles.

(k) Mobile Food Unit operators are responsible for all debris and oil stains within twelve (12) feet of the Mobile Food Unit through their own trash disposal contract. Mobile Food Unit operators shall not use City trash receptacles. Wastewater shall not be deposited in City sewers or poured out at the site.

(Ord. 2022-004. Passed 1-19-22.)

~~774.06~~ 744.06 NON-COMPETE.

No Mobile Food Unit shall set up operations within fifty (50) feet of an existing entrance of a business that sells food. This provision shall not apply to City Authorized Special Events **in which the Mobil Food Unit is listed as a participating vendor on the approved Special Event Permit.**

If the owner of a Mobile Food Unit has the written permission of any businesses that sell food to operate within the above fifty (50) foot exemption then this Section will not apply.

(Ord. 2022-004. Passed 1-19-22.)

744.07 CITY AUTHORIZED SPECIAL EVENTS.

Special Event sponsors who have been authorized by the City to use the City's right-of-way for such Special Event shall ensure that all **participating** vendors **listed on the approved Special Event Permit** **invited to the Special Event** have complied with the provisions of this Chapter. Any use of City Parks shall be authorized by the Parks and Recreation Director prior to the Mobile Food Unit operator applying for a permit.

During City Authorized Special Events, Sections ~~774.05~~ 744.05 (e), (g) and ~~774.06~~ 744.06 shall not apply. (Ord. 2022-004. Passed 1-19-22.)

744.08 EXEMPTIONS.

The following persons shall be exempt from the licensing procedures outlined in this Chapter:

- (a) Any person soliciting or peddling anything which such person has personally manufactured or produced.
- (b) Any farmer, poultry man or horticulturist, who is a person, who is soliciting or peddling his own product, but who has not bought goods for resale to sell along with his own product.
- (c) Any person, eighteen (18) or over soliciting for personal services to be performed by the person so soliciting.
- (d) The provisions of this chapter shall not apply to the peddling or soliciting of ice, milk, cream, ice cream, butter, eggs, cottage cheese or any dairy products.
- (e) A lemonade stand on the premises of a private home and operated by children under the age of twelve (12).
- (f) Kent residents that have a one-time food truck at their home for a private party/catered event.

(Ord. 2022-004. Passed 1-19-22.)

744.09 ENFORCEMENT.

- (a) Enforcement. The provisions of this chapter may be enforced by the Kent Police Department, Fire Department, or Health Department.

(Ord. 2022-004. Passed 1-19-22.)

744.10 SEVERABILITY.

Should any provision of this chapter be held invalid by a court of competent jurisdiction, then such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

(Ord. 2022-004. Passed 1-19-22.)

744.99 PENALTY.

(a) Any first violation of any provision of the chapter (unless otherwise specified), is a minor misdemeanor. A second and additional violation of a provision of this chapter within a two (2) year period in a misdemeanor of the third degree.

(b) Any person found vending without a license will be asked to cease said behavior. Failure to cease vending after a request to do so by a City official is a misdemeanor of the third degree. (Ord. 2022-004. Passed 1-19-22.)

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CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Kathy Coleman

FROM: Jim Bowling *Job*

DATE: December 19, 2024

RE: E Summit Street – Solar Array Electric Lines
License Agreement

The Service Department is requesting City Council consideration and approval of the attached License Agreement. The License Agreement will permit Kent State University's partner, OnSite Partners, LLC, to install and maintain an electric line that crosses East Summit Street. The electric lines will allow for power generated from the newly installed solar arrays located along Burnett Road to be supplied to Kent State University's electrical grid. The project is estimated to produce approximately 8.5 million kWh per year, reduce 6,598 tons of Carbon Dioxide, which is equivalent to removing 1,332 cars from the road per year and enough clean electricity to power 1,165 homes.



C: Melanie Baker
Hope Jones
Sandy Lance

CITY OF KENT, OHIO
LICENSE AGREEMENT

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO, hereinafter called "City" and OnSite Partners, LLC, hereinafter called the "Licensee."

The City is the owner, in fee simple or by highway easement, of land, hereinafter known as the "Property." For and in consideration of the covenants, conditions, agreements and stipulations of the License expressed herein, the City does hereby agree the Property may be used by the Licensee for the purpose as outlined in Part 1 below, in accordance with the laws and Charter of the City of Kent. The Property is more particularly described in the attached exhibit listed below.

Exhibit "A" - License Area Drawing and Legal Description

Exhibit "B" - Utility Crossing Civil Development Plans

The parties hereto covenant and agree as follows:

1. NATURE OF INTEREST:

The Licensee understands that by issuing this license, the City has merely granted the Licensee the right to occupy the right-of-way and this license does not grant or convey to the Licensee any interest in the Property.

2. USE:

2.1 The Property shall be used for the purpose of: installing,
maintaining and operating electrical wiring in conduits for the
transferring of electricity from solar array sites to Kent State
University power grid.
and for no other purpose.

2.2 No structural alterations may be made to the City's property without the express written permission of the City of Kent, Director of Public Service.

3. TERM:

The City does hereby agree the Property may be used by the Licensee for a term of one (1) year commencing on _____, 2025, and ending on _____, 2026 unless terminated earlier by either party. This license will automatically renew yearly unless one (1) month before expiration either party notifies the other of its intention to terminate per Paragraph 14.

4. NECESSARY LICENSES AND PERMITS:

- 4.1** Licensee shall be licensed to do business in the State of Ohio and City of Kent, and upon request, Licensee shall demonstrate to the City that any and all such licenses are in good standing. Correspondence shall be addressed as follows:

All correspondence to the City shall be addressed:

Service Director
City of Kent
930 Overholt Road
Kent, Ohio 44240

All correspondence to the Licensee shall be addressed:

OnSite Partners Asset Management

34 S. Third St. 4th Floor

Columbus, OH 43215

- 4.2** Licensee shall secure all necessary permits required in connection with the use of the Property and shall comply with all federal, state and local statutes, ordinances, rules, or regulations which may affect, in any respect, Licensee's use of the Property. Licensee shall, prior to the commencement of any work, obtain and thereafter maintain, at its sole cost and expense, all licenses, permits, etc., required by law with respect to its business use of the Property.

5. STORAGE AND VENDING:

No storage of materials or supplies of any nature will be permitted on the Property except as directly related to the agreed business use of the Property.

6. TAXES:

Licensee agrees to be responsible for and to timely pay all taxes and/or assessments that may be legally assessed on Licensee's interest, or on any improvements placed by Licensee on said Property, during the continuance of the license hereby created, including any real estate taxes. The Licensee must provide written notice to the City, at the address referenced in Paragraph 4.1, within thirty (30) days of payment of all taxes and/or assessments.

7. DIRECTOR OF PUBLIC SERVICE TO ACT FOR CITY:

The granting of this permit shall not be construed as an abridgment or waiver of any rights which the Director of Public Service has in exercising his jurisdictional powers over the City property, easements or right-of-ways. The City Director of Public Service shall act for and on behalf of the City of Kent in the issuance of and carrying out the provisions of this permit.

8. CITY USE OF PROPERTY:

If for any reason the Director of Public Service or his duly appointed representative deems it necessary to order the removal, reconstruction, relocation or repair of the Licensee's changes to the City's property, then said removal, reconstruction, relocation or repair shall be promptly undertaken at the sole expense of the Licensee's thereof. Failure on the part of the Licensee to conform to the provisions of this permit will be cause for suspension, revocation or annulment of this permit, as the Director of Public Service deems necessary.

9. MAINTENANCE OF PROPERTY:

Licensee shall, at its sole expense, keep and maintain the Licensee's facilities that are installed on the Property. In addition, the Licensee shall return the property to a condition similar to its existing condition after any impact to the property caused by the Licensee. A high standard of cleanliness, consistent with the location of the area as an adjunct of the City, will be required. Defoliant, noxious, or hazardous materials or chemicals shall not be used or stored on the Property.

10. MAINTENANCE OF IMPROVEMENTS:

10.1 Licensee, at Licensee's own cost and expense, shall maintain all of his/her improvements to the Property. Licensee shall take all steps necessary to effectively protect the Property from damage incident to the Licensee's use of such Property, all without expense to the City.

10.2 Licensee shall be liable to, and shall reimburse the City for, any damage to City owned property that in any way results from or is attributable to the use of said Property by the Licensee or any person entering upon the same with the consent of the Licensee, expressed or implied.

11. HOLD HARMLESS:

Licensee shall occupy and use Property at its own risk and expense and shall save the City, its officers, agents, and employees, harmless from any and all claims for damage to property, or injury to, or death of, any person, entering upon same with Licensee's consent, expressed or implied, caused by any acts or omissions of the Licensee.

12. INSURANCE:

12.1 At the time of the execution of this Agreement, Licensee shall, at its own expense, take out and keep in force during the terms of this Agreement:

(a) Liability insurance, in a company or companies to be approved by the City to protect against any liability to the public incident to the use of, or resulting from injury to, or death of, any person occurring in or about, the Property, in the amount of not less than ***Two Million Dollars (\$2,000,000.00)***, to indemnify against the claim of one person, and in the amount of not less than ***Four Million Dollars (\$4,000,000.00)*** against the claims of two (2) or more persons resulting from any one (1) accident.

(b) Property damage or other insurance in a company or companies to be approved by the City to protect Licensee, and the City against any and every liability incident to the use of or resulting from any and every cause occurring in, or about, the Property, including any and all liability of the Licensee, in the amount of not less than ***Two Million Dollars (\$2,000,000.00)***. Said policies shall inure to the contingent liabilities, if any, of the Licensee and the City, and shall obligate the insurance carriers to notify Licensee and the City, in writing, not less than thirty (30) days prior to cancellation thereof, or any other change affecting the coverage of the policies. If said policies contain any exclusion concerning property in the care, custody or control of the insured, an endorsement shall be attached thereto stating that such exclusion shall not apply with regard to any liability of the Licensee and the City.

12.2 A copy of the "Certificate of Insurance" will be submitted to the City at the time of execution of license and annually thereafter.

13. MODIFICATION:

The terms of this Agreement may be modified upon agreement of the parties.

14. REVOCATION AND TERMINATION:

14.1 The City may revoke this license at any time. The Licensee may terminate this Agreement at any time.

14.2 In the event this license is revoked or the Agreement is terminated the Licensee will peaceably and quietly leave, surrender, and yield up to the City the Property. The Property will be restored to its previous condition at the expense of the Licensee and no costs for removal will be reimbursed by the City.

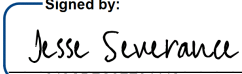
14.3 Upon revocation of the license or upon termination or expiration of Agreement, any personal property, or other appurtenances, including all footings, foundations, and utilities, placed on the City property will be removed by Licensee. If any such appurtenances are not so removed after ninety (90) days written notice from the City to the Licensee, the City may proceed to remove the same and to restore the Property and the Licensee will pay the City, on demand, the reasonable cost and expense of such removal and restoration.

15. RELOCATION:

A Licensee who licenses property from the City shall not be eligible for relocation payments.

IN WITNESS WHEREOF, this Agreement has been executed in duplicate by the parties hereto as of the date herein last written below. Licensee acknowledges receipt of a copy of this Agreement and agrees to comply with the provisions herein contained.

LICENSEE(S): OnSite Partners, LLC

Signed by:

948CDFC8FE94442...
Signature

Signature

34 S. Third St. 4th Floor Columbus, OH 43215
Mailing Address

(920) 246-3921
Telephone

12/18/24
Date

CITY OF KENT, OHIO

Director of Public Service

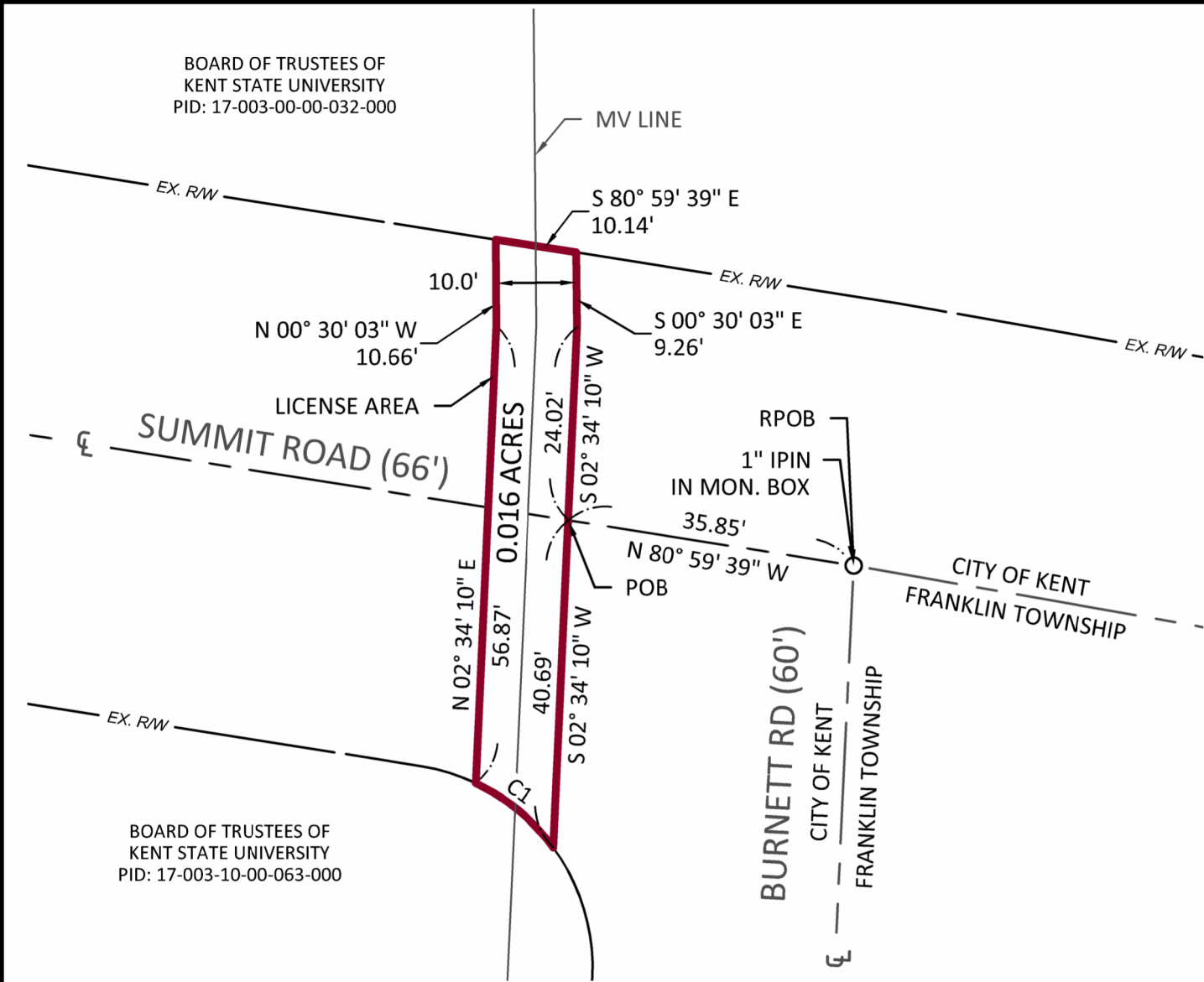
Date

APPROVED AS TO FORM:

Hope Jones, Law Director
City of Kent

EXHIBIT "A"

License Area Drawing and Legal Description

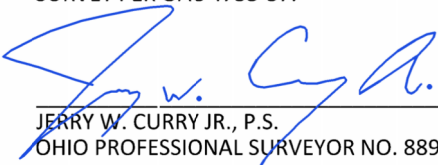


- LEGEND**
- MONUMENT FOUND
 - EX R/W EXISTING RIGHT-OF-WAY
 - POB POINT OF BEGINNING
 - RPOB REFERENCE POINT OF BEGINNING



BASIS OF BEARINGS:
THE BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH ESTABLISHED BY UTILIZING THE OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT) REAL TIME NETWORK (RTN) AND ARE FOR THE SOLE PURPOSE OF DENOTING ANGULAR VALUES. THE DISTANCE UNITS EXPRESSED HEREON ARE US SURVEY FEET.

CERTIFICATION:
I HEREBY CERTIFY THAT THIS SURVEY SHOWN ON THE ATTACHED PLAT WAS PREPARED FROM AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND THAT IT AND THE INFORMATION, SHOWN HEREON IS ACCURATE TO THE BEST OF MY KNOWLEDGE. THIS EXHIBIT IS NOT TO BE MISCONSTRUED AS A BOUNDARY SURVEY PER OAC 4733-37.


JERRY W. CURRY JR., P.S.
OHIO PROFESSIONAL SURVEYOR NO. 8898

12/17/2024
DATE

Curve Table					
Curve #	Radius	Delta	Chord Bearing	Chord Length	Arc Length
C1	25.38'	28°36'45"	N 50° 18' 30" W	12.54'	12.67'

FILE: 23451-MV Line.dwg
JOB NO.: 23451
DRAWN BY: ABR
ISSUED: 12/17/2024

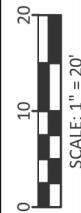
1/2

PART OF ORIGINAL LOT 3,
FRANKLIN TOWNSHIP, CITY OF KENT,
PORTAGE COUNTY, OHIO

EXHIBIT



DGL CONSULTING ENGINEERS, LLC
6060 ROCKSIDE WOODS BLVD N - SUITE 317
INDEPENDENCE, OH 44131
PHONE: 440.387.4113
www.dgl-llc.com



SCALE: 1" = 20'

Legal Description:

Situated in the City of Kent, County of Portage and State of Ohio, Original Franklin Township Lot 3 and being within the existing public right of way of Summit Road (C.H. 148, 66') and being more particularly described as follows:

Beginning for reference at a 1-inch iron pin found in a monument box marking the intersection of the centerline of said Summit Road with the centerline of Burnett Road (60'); thence, Westerly along the centerline of said Summit Road, North 80°59'39" West, a distance of 35.85 feet to the Principal Point of Beginning of the area herein described;

Thence, leaving the centerline of said Summit Road, and through the right of way of said Summit Road, South 02°34'10" West, a distance of 40.69 feet to a point in the Southerly right of way line of said Summit Road;

Thence, Northwesterly along a curve to the left being the Southerly right of way line of said Summit Road, said curve having a radius of 25.38 feet, a delta of 28°36'45" , a chord bearing of North 50°18'30" West, a chord length of 12.54 feet, and an arc length of 12.67 feet to a point in the Southerly right of way line of said Summit Road;

Thence, leaving said Southerly right of way line of said Summit Road, and through the right of way of said Summit Road, the following courses:

North 02°34'10" East, a distance of 56.87 feet to a point;

North 00°30'03" West, a distance of 10.66 feet to a point in the Northerly right of way line of said Summit Road;

Thence, Easterly along Northerly line of said Summit Road right of way, South 80°59'39" East, a distance of 10.14 feet to a point in the Northerly right of way line of said Summit Road;

Thence, leaving the Northerly right of way line of said Summit Road, and through the right of way of said Summit Road, the following courses:

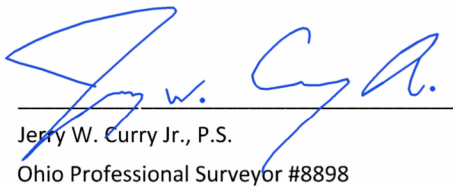
South 00°30'03" East, a distance of 9.26 feet to a point;

South 02°34'10" West, a distance of 24.02 feet to the Principal Point of Beginning, containing in all 0.016 acres of lands, more or less.

All 0.016 acres lie within the existing public right of way of Summit Road (C.H. 148, 66').

The above legal description is based on a land survey performed during April of 2024, by DGL Consulting Engineers, LLC. and was prepared by, or under the direct supervision of Jerry W. Curry Jr., Ohio Professional Surveyor #8898.

The bearings shown hereon are based on grid North established by utilizing the Ohio Department of Transportation's (ODOT) Real Time Network (RTN) and are for the sole purpose of denoting angular values. The distance units expressed hereon are US survey feet.


Jerry W. Curry Jr., P.S.
Ohio Professional Surveyor #8898

DGL Consulting Engineers, LLC
6060 Rockside Woods Blvd N, Suite 317
Independence, Ohio 44131
Phone: (440)387-4113, Ext 230



Date: 11/20/2024

	 DGL CONSULTING ENGINEERS, LLC 6060 ROCKSIDE WOODS BLVD N - SUITE 317 INDEPENDENCE, OH 44131 PHONE: 440.387.4113 www.dgl-ltd.com	PART OF ORIGINAL LOT 3, FRANKLIN TOWNSHIP, CITY OF KENT, PORTAGE COUNTY, OHIO	FILE: 23451-MV Line.dwg
			JOB NO.: 23451
			DRAWN BY: ABR
			ISSUED: 11/20/2024
		EXHIBIT	2/2

EXHIBIT "B"

Utility Crossing Civil Development Plans

UTILITY CROSSING ENCROACHMENT PERMIT - SUMMIT ROAD
FOR
KENT STATE UNIVERSITY SOLAR/BESS PROJECT

CITY OF KENT AND BRIMFIELD TOWNSHIP
PORTAGE COUNTY, OHIO

PREPARED FOR:
ONSITE PARTNERS, LLC
1 RIVERSIDE PLAZA
COLUMBUS, OHIO 43215

PREPARED BY:
TETRA TECH, INCORPORATED
4101 COX ROAD, SUITE 100
GLEN ALLEN, VIRGINIA 23060
OHIO COA # 03318

PROJECT DESCRIPTION:
INSTALL CONDUIT VIA DIRECTIONAL
BORE BENEATH ROADWAY TO PROVIDE
ELECTRICAL CONNECTION BETWEEN
SOLAR FACILITY AND KENT STATE
UNIVERSITY DISTRIBUTION SYSTEM

PROJECT TEAM:

GEOTECHNICAL ENGINEER
TETRA TECH, INCORPORATED
ATTN: LAWRENCE DRANE, PG
6715 TIPPECANOE ROAD, SUITE C201
CANFIELD, OHIO 44406

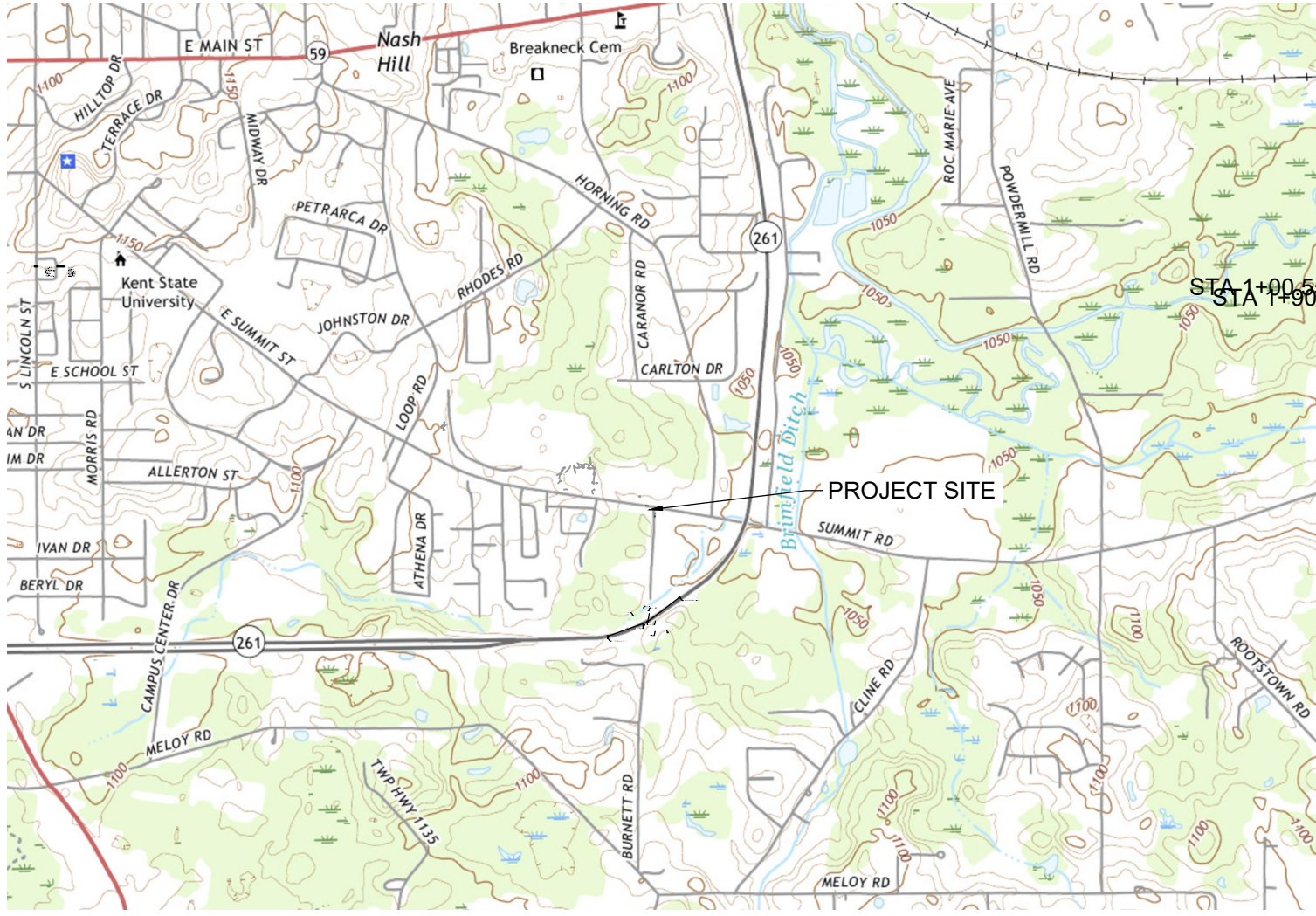
STRUCTURAL ENGINEER
TETRA TECH, INCORPORATED
ATTN: STEPHEN ERNST, PE
4101 COX ROAD, SUITE 100
GLEN ALLEN, VIRGINIA 23040

CIVIL ENGINEER
TETRA TECH, INCORPORATED
ATTN: ALEXANDER DEUSON, PE
4101 COX ROAD, SUITE 100
GLEN ALLEN, VIRGINIA 23040

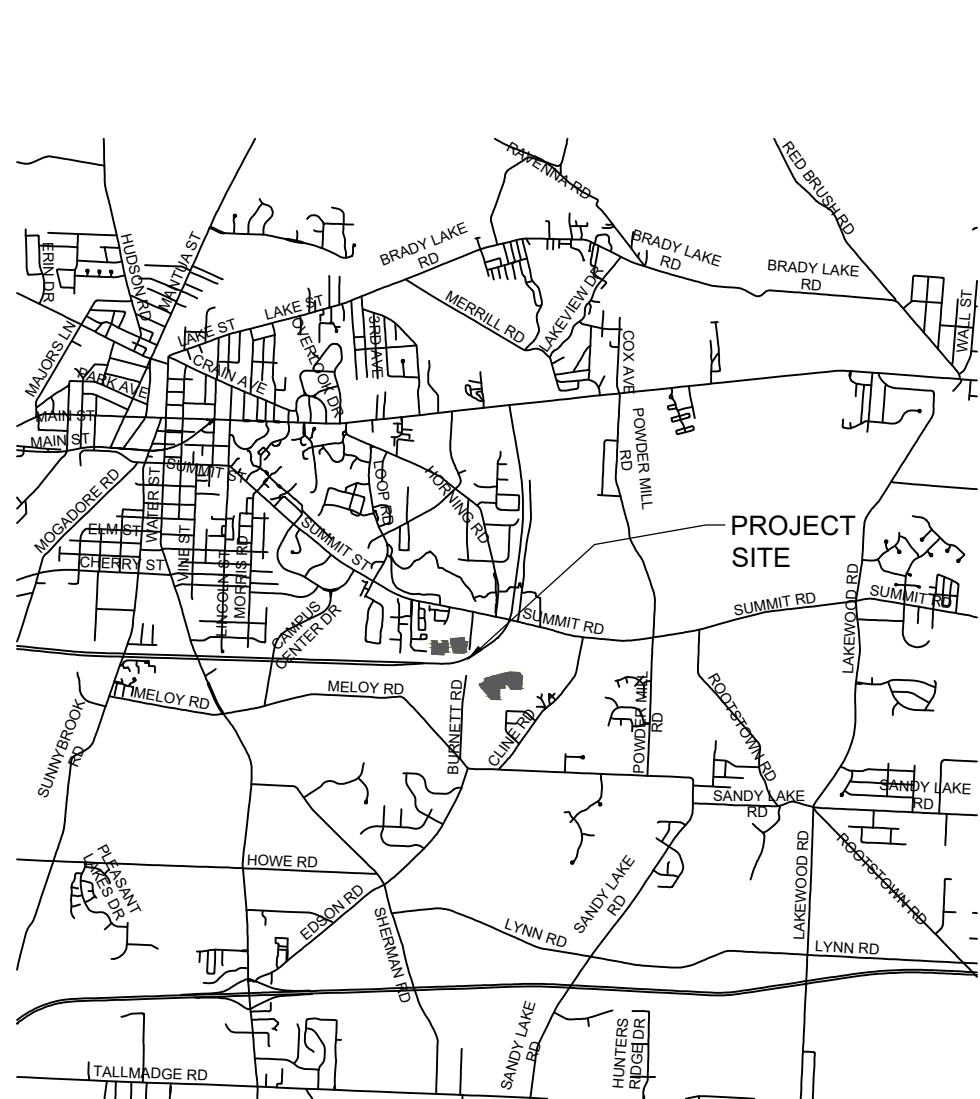
SURVEYOR
DGL CONSULTING ENGINEERS, LLC
ATTN: JERRY CURRY, PS
3455 BRIARFIELD BOULEVARD, SUITE E
MAUMEE, OHIO 43537



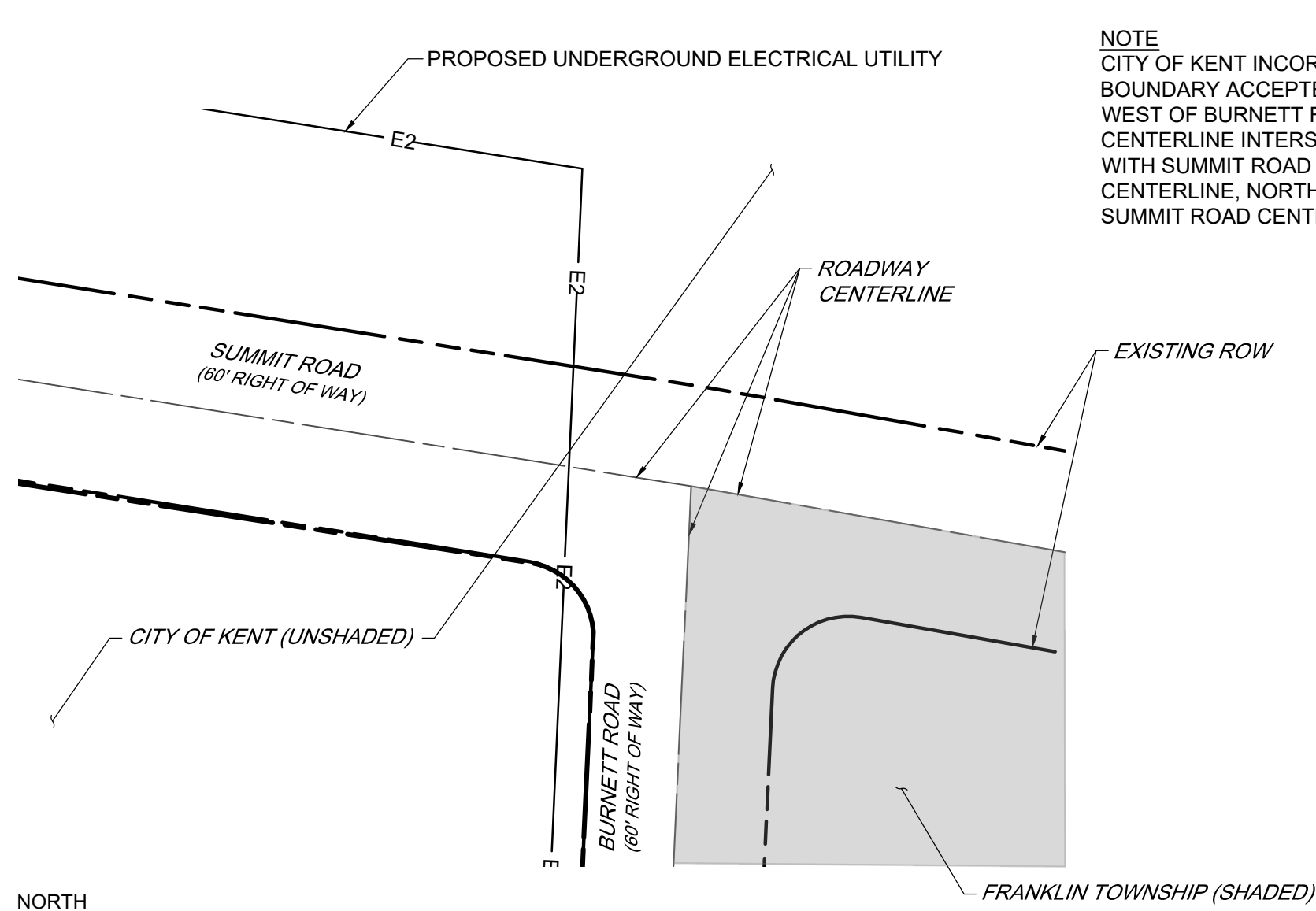
NORTH
REGIONAL MAP
SCALE: N.T.S.



NORTH
USGS QUAD MAP
SCALE: N.T.S.

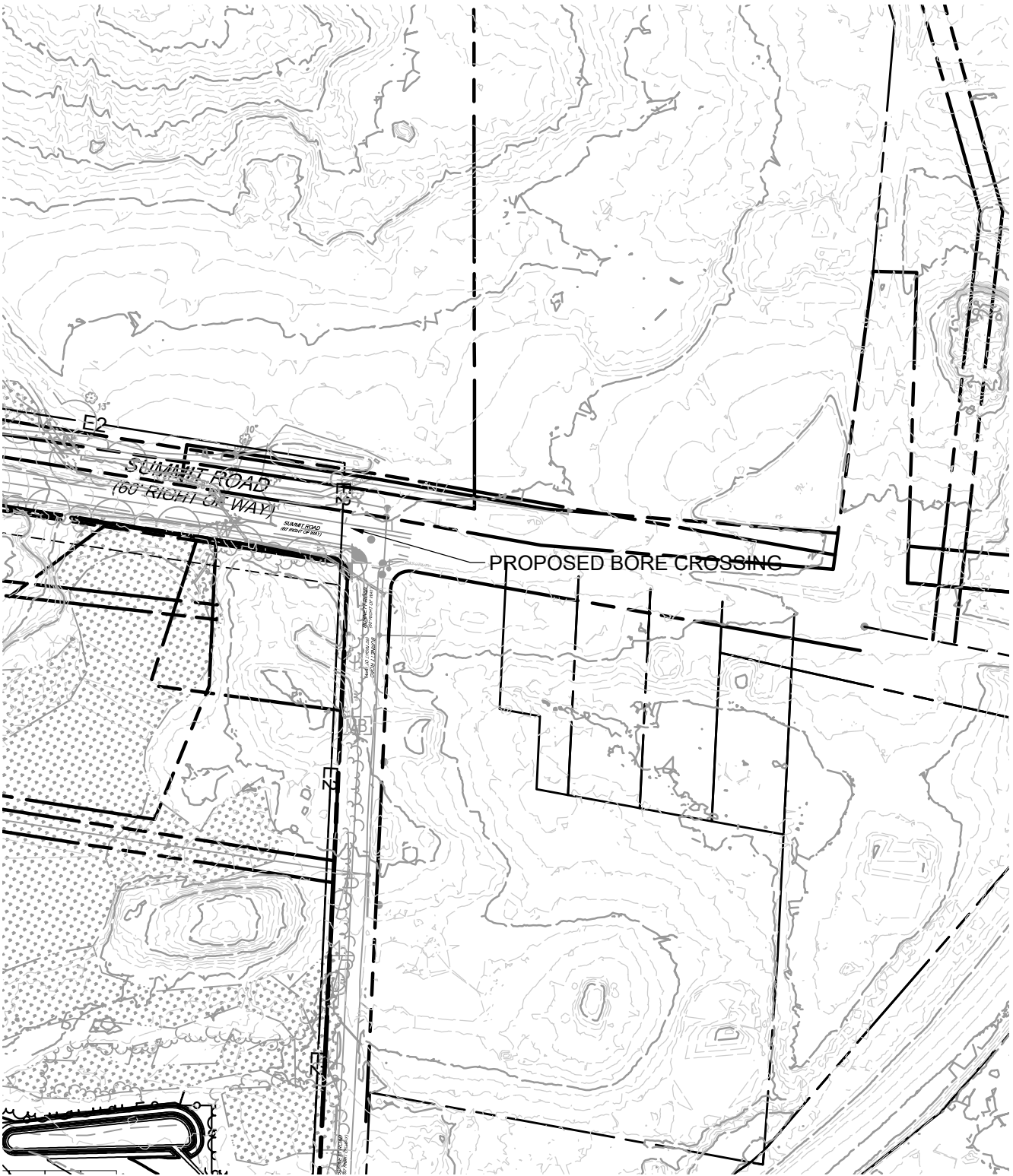


NORTH
VICINITY MAP
SCALE: N.T.S.

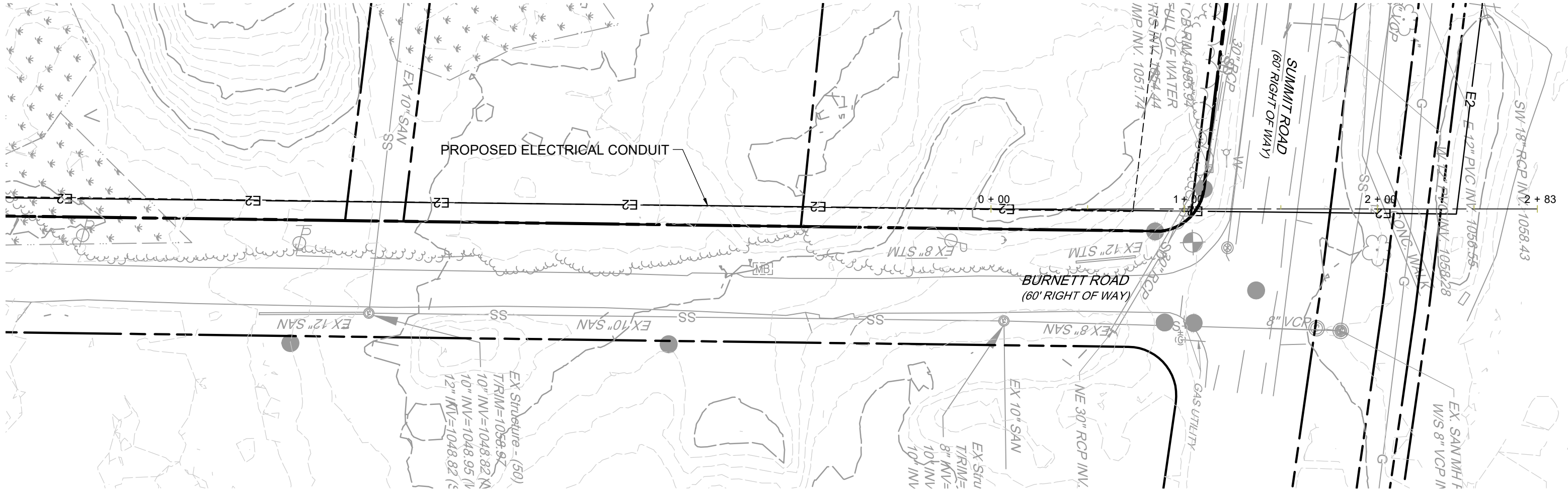


NORTH
PROPERTY PLAN
SCALE: 1" = 50'
0 50' 100'

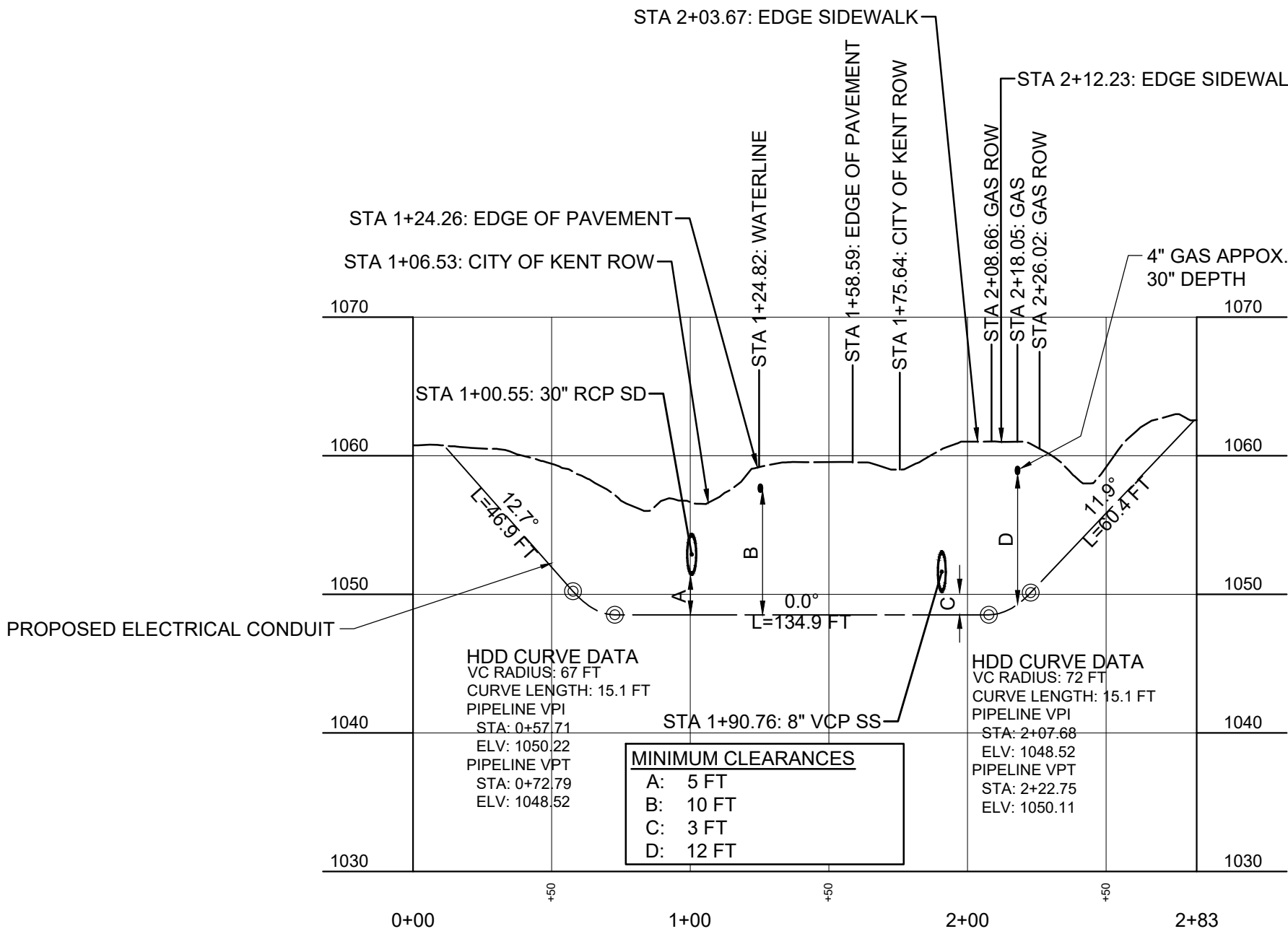
NOTE
CITY OF KENT INCORPORATION
BOUNDARY ACCEPTED AS
WEST OF BURNETT ROAD
CENTERLINE INTERSECTION
WITH SUMMIT ROAD
CENTERLINE, NORTH OF
SUMMIT ROAD CENTERLINE



NORTH
INDEX MAP
SCALE: 1" = 200'
0 200' 400'



PLAN NORTH
SUMMIT ROAD CROSSING - PLAN
SCALE: 1" = 50'
0 50' 100'



SUMMIT ROAD CROSSING PROFILE
SCALE H:1"=50'; V:1"=10'

NO.	REVISIONS	DATE	ENG	DES/ DFT	CHK	NO.	REVISIONS	DATE	ENG	DES/ DFT	CHK
A	ISSUED FOR CITY PERMIT	18DEC2024	TTI	AED	TTI						



PREPARED BY:
TETRA TECH
TETRA TECH, INCORPORATED
4101 COX ROAD, SUITE 100
GLEN ALLEN, VIRGINIA 23060

PREPARED FOR:
OnSite PARTNERS
ONSITE PARTNERS, LLC
34 SOUTH 3RD STREET
COLUMBUS, OHIO 43215

ENGINEERING RECORD	DATE
DES/DRFT BY: D. FRISQUE	15MAR2024
ENGINEERED BY: M. PAUL	15MAR2024
CHECKED BY: A. DEUSON	18MAR2024
CADFILE: 194-1254-0012-CT103.DWG	

KENT STATE UNIVERSITY SOLAR/BESS PROJECT CITY OF KENT AND BRIMFIELD TOWNSHIP PORTAGE COUNTY, OHIO	
CIVIL DEVELOPMENT PLANS UTILITY CROSSING ENCROACHMENT PERMIT - SUMMIT ROAD	
SCALE: AS SHOWN	DWG.NO. CT1105
SHEET 1 OF 1	REV 1

EXHIBIT "C"
Certificate of Insurance



CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)
 12/17/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Willis Towers Watson Midwest, Inc. c/o 26 Century Blvd P.O. Box 305191 Nashville, TN 372305191 USA	CONTACT NAME: WTW Certificate Center PHONE (A/C, No, Ext): 1-877-945-7378 FAX (A/C, No): 1-888-467-2378 E-MAIL ADDRESS: certificates@wtwco.com														
INSURED OnSite Partners, LLC 34 S. Third Street, Floor 4 Columbus, OH 43215	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC #</th> </tr> <tr> <td>INSURER A: Federal Insurance Company</td> <td style="text-align: center;">20281</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Federal Insurance Company	20281	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: Federal Insurance Company	20281														
INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES
CERTIFICATE NUMBER: W36731294
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
		Y	Y	3608-9439	09/30/2024	09/30/2025	MED EXP (Any one person) \$ 10,000
	GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC OTHER:						PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ OWNED AUTOS ONLY			7364-57-29	09/30/2024	09/30/2025	BODILY INJURY (Per accident) \$
	☒ HIRED AUTOS ONLY ☒ SCHEDULED AUTOS NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR						EACH OCCURRENCE \$ 10,000,000
	☐ EXCESS LIAB ☐ CLAIMS-MADE	Y	Y	5672-39-93	09/30/2024	09/30/2025	AGGREGATE \$ 10,000,000
	DED ☐ RETENTION \$						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						☒ PER STATUTE ☐ OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N		7184-1310	09/30/2024	09/30/2025	E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	No	N/A				E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
							E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Umbrella Liability follows form over the General Liability, Automobile Liability, and Employers' Liability.

The Certificate Holder is listed as an Additional Insured on a Primary and Non-Contributory basis as it relates to the General Liability, as required by written contract.

Waiver of Subrogation applies in favor of the Certificate Holder as it relates to the General Liability, as required by written contract.

CERTIFICATE HOLDER
CANCELLATION

City of Kent 930 Overholt Road Kent, OH 44240	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	---

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Liability Insurance

Endorsement

Policy Period	SEPTEMBER 30, 2024 TO SEPTEMBER 30, 2025
Effective Date	SEPTEMBER 30, 2024
Policy Number	3608-94-39 CHI
Insured	GRIDIRON GENERATION MIDCO, LLC
Name of Company	FEDERAL INSURANCE COMPANY
Date Issued	NOVEMBER 7, 2024

This Endorsement applies to the following forms:

GENERAL LIABILITY

Under Who Is An Insured, the following provision is added.

Who Is An Insured

Additional Insured -
Scheduled Person
Or Organization

Persons or organizations shown in the Schedule are **insureds**, but they are **insureds** only if you are obligated pursuant to a contract or agreement to provide them with such insurance as is afforded by this policy.

However, the person or organization is an **insured** only:

- if and then only to the extent the person or organization is described in the Schedule;
- to the extent such contract or agreement requires the person or organization to be afforded status as an **insured**;
- for activities that did not occur, in whole or in part, before the execution of the contract or agreement; and
- with respect to damages, loss, cost or expense for injury or damage to which this insurance applies.

No person or organization is an **insured** under this provision:

- that is more specifically identified under any other provision of the Who Is An Insured section (regardless of any limitation applicable thereto).
- with respect to any assumption of liability (of another person or organization) by them in a contract or agreement. This limitation does not apply to the liability for damages, loss, cost or expense for injury or damage, to which this insurance applies, that the person or organization would have in the absence of such contract or agreement.



Liability Endorsement
(continued)

Under Conditions, the following provision is added to the condition titled Other Insurance.

Conditions

*Other Insurance –
Primary, Noncontributory
Insurance – Scheduled
Person Or Organization*

If you are obligated, pursuant to a contract or agreement, to provide the person or organization shown in the Schedule with primary insurance such as is afforded by this policy, then in such case this insurance is primary and we will not seek contribution from insurance available to such person or organization.

Schedule

Persons or organizations that you are obligated, pursuant to a contract or agreement, to provide with such insurance as is afforded by this policy.

All other terms and conditions remain unchanged.

Authorized Representative

Endorsement

Policy Period

SEPTEMBER 30, 2024 TO SEPTEMBER 30, 2025

Effective Date

SEPTEMBER 30, 2024

Policy Number

3608-94-39 CHI

Insured

GRIDIRON GENERATION MIDCO, LLC

Name of Company

FEDERAL INSURANCE COMPANY

Date Issued

NOVEMBER 7, 2024

This Endorsement applies to the following forms:

GENERAL LIABILITY
EMPLOYEE BENEFITS ERRORS OR OMISSIONS

Under Conditions, the following provision is added to the condition titled Other Insurance.

Conditions

Other Insurance -
Primary, Noncontributory
Insurance - Scheduled
Person Or Organization

If you are obligated, pursuant to a written contract or agreement, to provide the person or organization described in the Schedule (that is also included in the Who Is An Insured section of this contract) with primary insurance such as is afforded by this policy, then this insurance is primary and we will not seek contribution from insurance available to such person or organization.

Schedule

Persons or organizations described in the Who Is An Insured section of this contract and that you are obligated, pursuant to a written contract or agreement, to provide with primary insurance as is afforded by this policy, but only to the minimum extent required by such contract or agreement.

All other terms and conditions remain unchanged.

Authorized Representative



Endorsement

Policy Period

SEPTEMBER 30, 2024 TO SEPTEMBER 30, 2025

Effective Date

SEPTEMBER 30, 2024

Policy Number

3608-94-39 CHI

Insured

GRIDIRON GENERATION MIDCO, LLC

Name of Company

FEDERAL INSURANCE COMPANY

Date Issued

NOVEMBER 7, 2024

This Endorsement applies to the following forms:

GENERAL LIABILITY

Under Conditions, Transfer Or Waiver Of Rights Of Recovery Against Others, the following provision is added:

Conditions

Transfer Or Waiver Of
Rights Of Recovery
Against Others

However, we waive any right of recovery we may have against the designated person or organization shown below because of payments we make for injury or damage arising out of your ongoing operations or done under a contract with that person or organization and included in the **products-completed operations hazard**. This waiver applies to the designated person or organization.

Designated Person Or Organization

PERSONS OR ORGANIZATIONS THAT YOU ARE OBLIGATED, PURSUANT TO A CONTRACT OR AGREEMENT, TO PROVIDE WITH SUCH INSURANCE AS IS AFFORDED BY THIS POLICY.

All other terms and conditions remain unchanged.

Authorized Representative



Endorsement

Policy Period	SEPTEMBER 30, 2024 TO SEPTEMBER 30, 2025
Effective Date	SEPTEMBER 30, 2024
Policy Number	3608-94-39 CHI
Insured	GRIDIRON GENERATION MIDCO, LLC
Name of Company	FEDERAL INSURANCE COMPANY
Date Issued	NOVEMBER 7, 2024

This Endorsement applies to the following forms:

COMMON POLICY CONDITIONS

Conditions

Under Conditions, the following condition is added.

Notice Of Cancellation
To Scheduled Persons
Or Organizations When
We Cancel

When we cancel this policy we will notify person(s) or organizations(s) shown in the Schedule at least 30 days (10 days in the event of nonpayment of premium) in advance of the cancellation date.

Any failure by us to notify such person(s) or organization(s) will not:

- impose any liability or obligation of any kind upon us; or
- invalidate such cancellation.

Schedule

Person(s) or Organization(s): IF YOU ARE OBLIGATED, PURSUANT TO A WRITTEN CONTRACT OR AGREEMENT, TO PROVIDE PERSON(S) OR ORGANIZATION(S)

Address: WITH NOTICE OF CANCELLATION, THEN WE WILL NOTIFY SUCH PERSON(S) OR ORGANIZATION(S) PROVIDED THAT WITHIN 15 DAYS OF THE DATE WE SEND NOTICE OF CANCELLATION TO THE FIRST NAMED INSURED, THE FIRST

Conditions
(continued)

Person(s) or Organization(s): NAMED INSURED OR PRODUCER OF RECORD PROVIDES US
WITH
A SPREADSHEET CONTAINING THE NAME, MAILING
ADDRESS

Address: AND, IF AVAILABLE, E-MAIL ADDRESS OF
THE PERSON(S) OR ORGANIZATION(S).

All other terms and conditions remain unchanged.

Authorized Representative



KENT POLICE DEPARTMENT
Nov-24

	NOVEMBER 2023	NOVEMBER 2024	TOTAL 2023	TOTAL 2024
CALLS FOR SERVICE	1421	1523	19061	18036
KENT FIRE CALLS	471	542	5239	5376
BRIMFIELD FIRE CALLS	165	158	1636	1746
ARRESTS, TOTAL	101	155	1485	1495
JUVENILE ARRESTS	5	17	113	161
O.V.I. ARRESTS	13	14	167	127
TRAFFIC CITATIONS	113	119	1439	1451
PARKING TICKETS	452	751	7432	11603
ACCIDENT REPORTS	51	56	517	525
Property Damage	30	28	281	269
Injury	9	11	65	94
Private Property	4	9	95	97
Hit-Skip	6	7	60	46
OVI Related	2	1	12	12
Pedestrians	0	0	4	6
Fatals	0	0	0	1
U.C.R. STATISTICS				
Homicide	1	0	1	0
Rape	0	0	1	0
Robbery	1	1	4	9
Assault Total	9	20	179	241
Serious	1	4	24	57
Simple	8	16	155	184
Burglary	5	2	39	25
Larceny	15	25	245	101
Auto Theft	2	4	9	21
Arson	0	2	3	2
Human Trafficking:Servitude	0	0	0	0
Human Trafficking:Sex Acts	0	0	0	0
TOTAL	33	54	481	399
CRIME CLEARANCES				
Homicide	0	0	0	0
Rape	0	0	1	1
Robbery	1	0	5	5
Assault Total	7	15	152	179
Serious	0	3	24	33
Simple	7	12	128	146
Burglary	5	1	25	18
Larceny	5	5	44	64
Auto Theft	2	1	5	5
Arson	0	2	1	2
Human Trafficking:Servitude	0	0	0	0
Human Trafficking:Sex Acts	0	0	0	0
TOTAL	20	24	233	274